

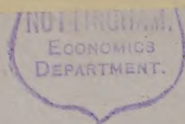
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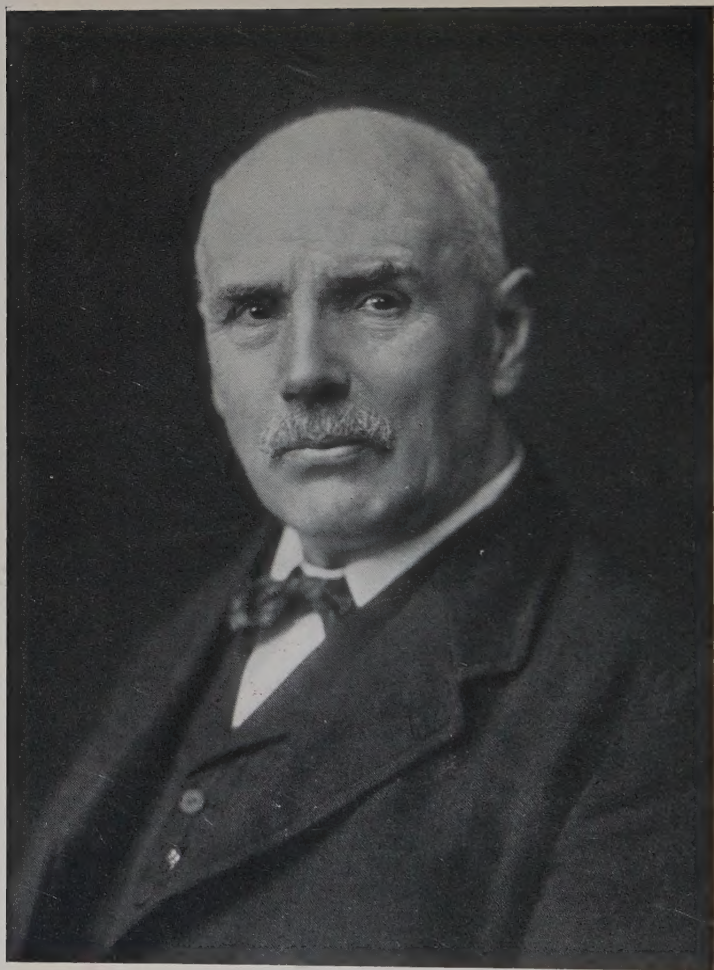
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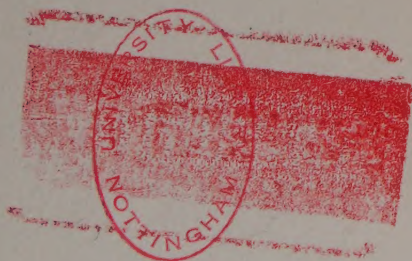
Frontispiece]

THE AUTHOR

History of the International Labour Office

BY
GEORGE N. BARNES

PREFACE BY
ÉMILE VANDERVELDE
MINISTER OF FOREIGN AFFAIRS OF BELGIUM



LONDON
WILLIAMS AND NORGATE LIMITED
14 HENRIETTA STREET, COVENT GARDEN, W.C. 2
1926

Printed in Great Britain

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I WISH at the outset to put on record my indebtedness to Mr. M. R. K. Burge, the representative in London of the International Labour Office, for much of the matter in the pages here following.

GEO. N. BARNES.

April 1926.

PREFACE

(French Original)

DANS un livre où mon vieil ami the Right Hon. G. N. Barnes nous dit, avec une si remarquable précision, ce qu'ont été les origines et le devenir du Bureau international du Travail, il parle beaucoup des autres et fort peu de lui-même.

Barnes est cependant, avec Albert Thomas, l'homme qui a joué le plus grand rôle dans l'histoire du B.I.T. Je l'ai vu à l'œuvre. J'ai eu l'honneur d'être son collègue et de travailler avec lui, en 1919, à la Conférence de la Paix, dans la Commission qui prépara la Charte du Travail et jeta les fondements de l'organisation actuelle. Nous siégeons deux ou trois fois par semaine, au Ministère du Travail, dans une salle où, jadis, l'Archevêque de Paris avait précédé Mr. Viviani. Il y avait là des plénipotentiaires et des délégués de toutes les nations industrielles importantes, depuis l'Inde et le Japon jusqu'à la Grande-Bretagne, l'Italie, la France ou les États-Unis. Benes y représentait la Tchécoslovaquie. A côté du Ministre du Travail et de Mr. Arthur Fontaine, Léon Jouhaux prenait souvent la parole au nom de la France. Dans la délégation anglaise, Sir Malcolm Delevingne déployait une activité, à laquelle Barnes, dans son livre, rend un juste hommage. Nous y avons retrouvé aussi, à côté d'un grand patron américain, Mr. Robinson, un ancien de l'Internationale, le vieux Gompers, que l'on avait appelé à la présidence. Entre ces hommes si différents, qui représentaient

des intérêts nationaux ou des intérêts de classes plus différents encore, l'entente était souvent difficile ; elle paraissait même, à certains moments, impossible : je ne saurais assez dire mon admiration pour la maîtrise avec laquelle Barnes, chef de la Délégation britannique, sut manœuvrer parmi tant d'écueils. Dès l'abord, cet ancien Secrétaire de syndicat, devenu membre du Gouvernement de l'Empire sur lequel le soleil ne se couche jamais, s'imposa à tous par sa haute courtoisie, son large et loyal esprit de conciliation, son expérience de parlementaire accompli. Peu à peu, sous son influence dominante, se dégagèrent les grandes lignes de l'œuvre si importante que la Commission avait assumé la tâche de mettre sur pied : on s'entendit sur le rôle qui serait assigné au B.I.T., partie intégrante de la S.D.N., sur la manière dont y seraient représentés les Gouvernements, les chefs d'entreprises et les ouvriers ; on formula, dans des termes dont la souplesse n'excluait pas la précision, les points essentiels de cette Charte du Travail, qui forme aujourd'hui la Partie XIII du Traité de Versailles. Mais, l'accord une fois réalisé à la Commission, nous étions encore loin d'être au bout de nos peines.

Les délégués de la Commission internationale du Travail furent les premiers, peut-être, à s'apercevoir de ce qui devait être la tragédie de la Conférence de Versailles : la discordance entre les aspirations personnelles des délégués américains et les pouvoirs qui leur avaient été donnés ; l'attitude de Gompers, par exemple, devait faire prévoir ce qui arriverait au Président Wilson.

D'autre part, ceux qui représentaient à la Conférence des pays entrés plus tard que d'autres dans la vie industrielle, ne laissaient point d'hésiter à admettre tous les principes généraux que la Commission avait inscrits dans son projet de Charte du

Travail : le salaire minimum, la journée de huit heures, la suppression du travail des enfants, le principe du salaire égal sans distinction de sexe. Lorsque le projet de la Commission fut soumis au Conseil suprême, il subit—nous sommes obligés de le dire—des remaniements et des atténuations qui, s'ils avaient été maintenus, lui eussent enlevé toute valeur efficace. Mais, cette fois encore, à force de persévérance et d'énergie persuasive, Barnes parvint à sauver la situation. Des négociations nouvelles s'engagèrent avec les représentants de certains Dominions qui se montraient particulièrement réfractaires. Je fus invité à prendre part à ces négociations. J'eus, notamment, de longs entretiens avec Sir Robert Borden, Premier Ministre conservateur du Canada, dont je pus apprécier, à la fois, au cours de ces tractations, les difficultés et l'esprit de conciliation. Bref, en fin de compte, on en revint, ou à peu près, au texte primitif ; on s'entendit également sur le projet de statut du futur Bureau international et je fus chargé de l'honneur d'appuyer, dans l'Assemblée plénière de la Conférence, les conclusions de Barnes, qui avait été désigné comme notre rapporteur.

La veille, précisément, j'avais eu cette heureuse fortune de prendre part à l'aboutissement de ce qui avait été un des efforts de toute ma vie : la conquête de l'égalité politique, le vote par la Chambre belge du suffrage universel pur et simple, qui allait faire de la Belgique une démocratie. Il me fallait, le lendemain même, prendre la parole à Versailles, et, à ce moment, les trains de nuit Paris-Bruxelles n'étaient pas encore rétablis et le trajet en chemin de fer prenait plus de huit heures. Mais, Mr. Lloyd George, qui, lui aussi, avait usé de toute son influence pour faire rétablir sous sa forme initiale notre projet de Charte du Travail, me fit prendre par un avion. Je pus arriver ainsi tout

juste pour l'ouverture de la séance. Nos discours furent brefs. Le vote était par avance acquis. La Charte du Travail était admise. Le Bureau International du Travail était fondé.

Ce qu'il est devenu depuis lors, on le verra en lisant ce livre, écrit d'une manière si vivante et si richement documentée. En écrivant cette préface et en disant toute l'importance du rôle que Barnes joua à Versailles, je n'ai pas voulu autre chose que combler une lacune, que la modestie de l'auteur y avait laissée.

ÉMILE VANDERVELDE.

PREFACE

IN the pages of the book in which my old friend the Right Hon. G. N. Barnes explains so clearly the origin and duties of the International Labour Office, he has much to say about other people and very little about himself.

Yet Barnes himself and Albert Thomas are the two men who have played the most important part in the history of the International Labour Organisation. I speak from my personal experience. I had the honour of being his colleague and of working with him in 1919 at the Peace Conference in the Commission which prepared the Charter of Labour and laid the foundation of the Organisation as it is to-day. We met two or three times a week at the Ministry of Labour in a hall where Mr. Viviani had worked and before him the Archbishop of Paris. There were plenipotentiaries from all the industrial nations, from India and Japan to Great Britain, Italy, France and the United States. Mr. Benes represented Czechoslovakia. Beside the Minister of Labour and Mr. Arthur Fontaine, Léon Jouhaux often spoke in the name of France. In the British Delegation, Sir Malcolm Delevingne displayed an energy to which Barnes in his book pays the tribute which it deserved. Side by side with a great American employer, Mr. Robinson, was an old figure from the Socialist International, Sam Gompers, who had been elected our Chairman. With men so different, representing national or class interests still more different, agreement was often difficult—at times it even appeared impossible.

I cannot adequately express the admiration I felt for the skill with which Barnes, as Chief of the British Delegation, piloted us through so many reefs. From the first day of our work this former Trade Union Secretary, who had become a member of the Government of the Empire upon which the sun never sets, impressed us all with his courtesy, his boundless spirit of conciliation and loyalty and his great parliamentary skill. Little by little under his dominating influence the outline of the important work which the Commission had undertaken grew clear. Agreement was reached on the part which the International Labour Organisation should play within the League of Nations, and on the method of representation of Governments, Employers and Workmen. The cardinal points of the Charter of Labour, which to-day forms Part XIII of the Treaty of Versailles, were formulated in precise terms which yet were free from the fault of over-rigidity. Yet even when agreement had been reached in the Commission we were still far from the end of our labours.

The members of the International Labour Commission were probably the first to appreciate what was to prove the tragedy of the Versailles Conference—that is to say, the discrepancy between the personal view of the American delegates and the powers which had been given to them. The attitude of Gompers, for example, foreshadowed the fate of President Wilson.

On the other hand, they who at the Conference represented countries which had become industrialised later than the rest of the world were only too ready to accept all the general principles which the Commission had included in its draft Charter of Labour: minimum wage, eight-hour day, prohibition of child labour, principle of equal payment of men and women. When the Commission's draft

was submitted to the Supreme Council it must be confessed that amendments and restrictions were proposed which, had they been maintained, must have robbed it of all its value. But once again the perseverance and energy of Barnes saved the situation. Fresh negotiations were opened with certain of the Dominions who showed themselves particularly difficult to convince. I was asked to take part in those negotiations. In particular I had long discussions with Sir Robert Borden, the Conservative Prime Minister of Canada, and learnt to appreciate both his difficulties and his conciliatory spirit. In short, we came back at the end, little by little, to the original text. Agreement was also reached on the draft constitution of the International Labour Office, and I had the honour of being instructed to support, in the plenary Session of the Conference, the proposals which Barnes laid before it in his capacity of our reporter.

On the previous day it was my good fortune to see the accomplishment of what had been one of the ambitions of my life: the Belgian Chamber of Deputies gave its vote in favour of universal suffrage, a decision which meant that political equality had been won and Belgium had been made a democracy. The next day I had to speak at Versailles, and at that time the night-train service between Paris and Brussels had not been reintroduced and the train journey took more than eight hours. Mr. Lloyd George, however, who also had used all his influence to bring about the acceptance of our draft Labour Charter in its original form, arranged for me to travel by aeroplane, and in this way I arrived just in time for the opening of the Session. Our speeches were short. The result was a foregone conclusion. The Charter of Labour was accepted and the International Labour Organisation brought into existence.

Its history since that time is told by this book vividly, yet in full detail. My object in writing this preface and in describing the importance of the part which Barnes played at Versailles is to fill a gap left in it by the modesty of its author.

ÉMILE VANDERVELDE.

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THE NEW PREMISES OF THE I.L.O.

HISTORY OF THE INTERNATIONAL LABOUR OFFICE

CHAPTER I

INTRODUCTORY

THE opening of the new offices for the International Labour Organisation at Geneva is an event of more than local moment, but the building itself is quite a notable addition to the structural amenities of the place. Geneva has, in some respects, been favoured by fortune. It has benefited, for example, by having been made the centre of international activities, for the Red Cross and other world organisations have long had their business offices in the town and made their haunts within its borders.

But it also owes much—perhaps more than any city in Europe—to its natural setting, situated as it is at the lower end of the famous lake, at the junction of two swift-running streams and within seeing distance of the grand Alps. And in a historical sense it has been no less fortunate, since for centuries its intellectual life has radiated to all the ends of the earth. It has been an important centre since the days of the Romans, and it is one of the traditional homes of liberty. It was a forum for John Calvin and John Knox, a starting-place for Jean Jacques Rousseau, and within its walls

Madame de Stael was cradled. In its time it has played many parts and, under its modern democratic régime of the last eighty years, it has been rebuilt and modernised—which is perhaps the reason why it has attracted writers and thinkers who have written and thought of things far from it. Here George Eliot did some of her best work, and from here Lenin was loosed to work his will on Russia. Here the "Alabama" Treaty—perhaps the most famous of arbitration cases—was concluded in 1872; and in Geneva too the Red Cross, now so familiar to us that we can hardly imagine the time when no such idea existed, came into being with the Geneva Convention of 1864.

But the greatest distinction for the town came in 1919, when the Plenipotentiaries at the Paris Peace Conference made it the head-quarters of the League of Nations and of most of the auxiliary organisations connected therewith. Since then Geneva has loomed larger than ever on the world horizon. In it are centred the hopes of many who seek peace and reconciliation of peoples, and who look for the building of a better order based on co-operation and social justice. In one of the largest of its modern buildings a home has been found for the main staff of the League. This is on the side of the Lake and in a prominent position opposite to the quaint old town. It is a magnificent pile which, as the "Hôtel Nationale," was at one time a refuge for deposed princes and a rendez-vous for financial magnates from far and near; but in 1919 it had fallen on evil days and was acquired for the housing of Sir Eric Drummond's staff.

The Labour Organisation, however, which came into existence with the League, was less fortunate; for six years it had been housed in an old school, charmingly situated a mile or two out of the town,

but, as a series of International Committees decided, inadequate for the purpose intended. This has now been rectified by the provision of the new office. Labour is now fittingly housed in a place specially designed and equipped for the efficient carrying on of the work. This has been in course of erection for two years and occupies a site on the edge of the Lake a little further from the centre of the town, but hardly less prominent than that which has been assigned to the main staff of the League. Its opening marks a distinct phase in the development of the idea of the world regulation of the conditions of labour, which has now passed from the experimental to the settled stage.

The new building has five stories (including the attics), is rectangular in form, and encloses a courtyard of some 700 square metres. The Genevese authorities have widened the Lausanne Road, from which the grounds are entered, but although this has led to the felling of some of the trees which formerly lined it, the trees which surround the new building are still a distinguishing feature of the site, itself a very generous present to the League of Nations from the people of Switzerland. The main entrance door, made from an Australian wood and given by the Federal Government of Australia, is at the north end of the west front, and gives on to a central lobby, in which are two striking bronze figures by Constantin Meunier (a present from the Belgian Government). These statues flank the first flight of the main staircase. Opposite, on the left-hand side, is the Governing Body room, panelled and furnished by the British Government in wood given by India. There is ample space to accommodate the members of the Governing Body and their secretaries, and the Staff of the Office present to perform the secretarial work.

A gallery is provided for the use of the Press and public, now that the Governing Body, following the example of the Council of the League, has decided, except in special circumstances, to meet in public.

To the right of the staircase lie the main offices, surrounding the courtyard, in the centre of which is a charming fountain, the work of a well-known British artist, Mr. Gilbert Bayes, and the gift of the National Sailors and Firemen's Union. Access to them is by a well-lighted corridor immediately bordering the courtyard itself. On the ground floor there are also two Committee rooms, near the Governing Body's room. The Offices on all the floors are partitioned so that their size suits the needs of the work which is carried on in them. The rooms on the south side enjoy a direct view of the Lake, and the grass lawn running down to it from the Office. The keynote of the Offices is simplicity, except where the generosity of Governments gives one or other of them a special distinction—for example, all the doors on the ground floor were given by the Canadian Government.

I have mentioned above the gifts of Switzerland, Great Britain, Canada, Australia, India and Belgium. Here is the list of other gifts received up to January 1926 :—

Bulgaria : Carpet for office of president of Governing Body.

Czechoslovakia : Crystal chandeliers for main reading room.

Denmark : Two vases from the Royal Porcelain Factory.

Finland : Large mural painting for vestibule.

France : Gobelins tapestry for Governing Body room.

Germany : Stained-glass windows for main staircase.

Greece : Carpets for Governing Body room.

Holland : Picture by Ferdinand Bol.

Italy : Statue.

Japan : Two cloisonné vases.

Poland : Walnut furniture.

Queensland : Furniture for vestibule first floor.

Roumania : Furniture for one Office (Central Co-operative Organisation).

Carpet and curtains for one Office (Roumanian Government).

Spain : Painting by Chicharro.

Sweden : Furniture for room of President of Governing Body.

Switzerland : Two statues.

Moreover, gifts have also been received from the International Federation of Trade Unions, the American Federation of Labour, and the General Confederation of Labour of Japan, as well as from M. Arthur Fontaine, the Chairman of the Governing Body.

Two of the large rooms are likely to strike the visitor more than others. The first is the Library, which occupies (including its galleries) the two and a half floors above the Governing Body room. The lower floor is a reading room; above and around it runs a gallery; above that, again, a book-store. The Library includes a small spiral staircase of its own, and ample additional storage space is available. Yet with all this the space is none too great when it is remembered that the Library is already unique of its kind, including in 1925 some 180,000 volumes, and that it is growing at the rate of something over fifty books a day. The reading room will be an immense boon, not only to the Staff for their research work, but also to the many visitors who now come to Geneva to consult this unrivalled

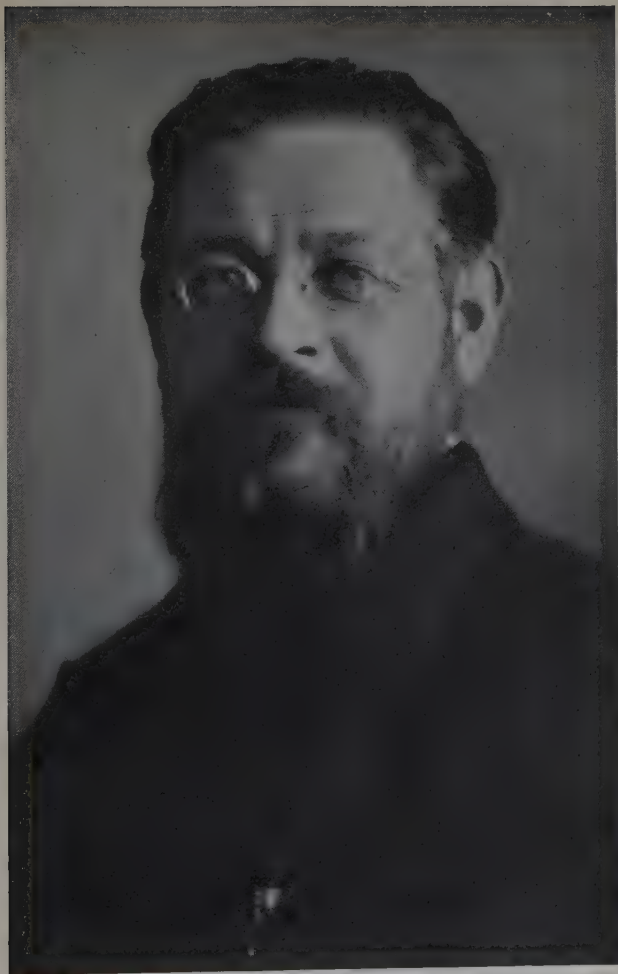
source of information about industry and labour. Perhaps it may be permissible to add that the boon will be all the more appreciated from the contrast between the new Library and the old.

The other room which the visitor will specially notice is a large airy one on the top floor, set apart as a rest and refreshment room for the Staff. This room too is simplicity itself. All the equipment is found by the Staff, and the restaurant will be conducted on the simplest lines. But, apart from this, the accommodation compares not altogether unfavourably with that provided in the more up-to-date factories in this country.

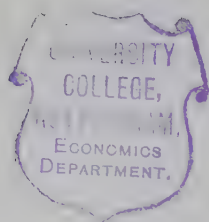
Seen from outside, the building will be criticised by many as monotonous, if not ugly. Its very simplicity appears to increase its size. But whatever the academic merits of simplicity, it cannot be denied that in the practical sense it was in this case inevitable. There is no doubt that the Swiss architect, M. Epitau, has achieved a remarkable result, in constructing the whole of the building for a sum of about £120,000. The only feature which could with advantage have been modified is the tower at the east end. It serves no practical purpose except to break the monotony of the building's outline (for a less conspicuous way of lighting the book-store might have been found), but it would have been far more decorative had it been only half as high.

But the building is not extravagant, even in dimensions. The pages which follow may give the reader some impression of the multifarious duties—secretarial, editorial, scientific and industrial research—which have to be performed in it.

The completion of the building will give special satisfaction to the Director of the International Labour Office, M. Albert Thomas. It will be a tangible proof of the success of his efforts, for it is



M. ALBERT THOMAS



difficult to over-state the value of his ability, energy and personality during the first years of the life of the Organisation.

Albert Thomas was born at Campigny in 1878. His father was a baker. After a brilliant career at school he entered the "École Normale" in 1898. A travelling scholarship, granted by the late M. Bourgeois, enabled him to pay a first visit to Russia. After a year's military service and three years at the École Normale he was placed first in the examination list of Paris University. He then spent a year in Germany, thanks to a University Scholarship. The famous French Socialist leader, Jaurés, employed him as Labour Editor of *Humanité*, while at the same time M. Thomas himself edited *Le Revue Syndicaliste*. During this period he contributed to several other important publications of an economic and social character. In 1908 he became a Municipal Councillor and in 1910 a Deputy. His efforts in connection with the great railway strike in 1910 gave him great political prominence. In 1914, from the outset of the European War, the organisation of Munitions was his task. He was first appointed as Under-Secretary to deal with the problem; when its urgency led to the creation of a special Ministry, Albert Thomas was appointed the first Minister of Munitions—in which capacity he became known throughout Europe. In 1916 he visited Russia with the late M. Viviani. In 1917 he returned to Petrograd as Ambassador, but only for a few months. He declined to re-enter the Government but remained a Deputy, and became prominent for his defence of the view that peace and the League of Nations could only be stable if based upon the recognition of the principle of nationality. In 1919 he was invited to stand for the constituency of the Tarne, which had been Jaurés' seat before

his assassination; he was elected. At the end of 1919 his name was proposed at Washington as the first Director of the International Labour Office; he was elected to the post in January 1920.

* * * * *

I have dealt with the building of stone and of plaster. Now I would turn to the greater building, the foundations of which were laid in 1919 at the Peace Conference in Paris. The words which are written in the foundation stone of the masonry are to be found also at the foundation of that building not made with hands: "*Si vis pacem, cole justitiam*"—"Husband Justice and ye shall garner Peace."

The Geneva Labour Office has now become an established fact. Yet very little is really known about it, and what is said and written is oft tinged with error and sometimes, I am afraid, with a subconscious feeling of hostility. The average employer believes the Office to be a something which is only adding to his burden, and many workmen think of it, if at all, as merely another of the many bureaux which have come and gone without anyone being either better or worse for their coming or going. And so, while employers think ruefully of foreign competition and workmen hopefully of international labour solidarity, many of them fail to realise that there is now at Geneva an agency which is designed to lessen the intensity of the one and to give practical expression to the other. As a consequence the International Labour Office does not get that full measure of support to which it is entitled from the employers and employed whom it was designed to serve, nor is it supported as it ought to be by Governments, which are under certain obligations regarding it. Perhaps,

therefore, a plain statement of fact of what it is and how it came and what it is doing may be useful to many who are interested in this particular phase of international activity. That, at all events, is the purpose of this little book.

CHAPTER II

THE ORGANISATION AND THE LEAGUE

IN the first place it has to be said that the International Labour Organisation is part and parcel of the League of Nations.

The League has really a twofold purpose; it has to prevent war, and in order to do so it has to promote co-operation in peace. The first is the more important—it is indeed the all-important—but the second is closely related to it, because the more the nations can be induced to come together and to act together in the arts of peace, the less likely will they be to quarrel and wage war. That is the reason why provision was made in 1919 for equipping the League with auxiliary and subordinate organisations to engage, on its behalf, in peace activities. There is a Finance Committee which saved Austria and Hungary from collapse when on the brink of bankruptcy; there is a Commission for medical research which is pooling medical knowledge for the common good; there is a Commission for suppressing the illicit traffic in cocaine and other deadly drugs; and there are others, temporary or permanent as occasion may require, promoting an international spirit of kinship.

And it was felt that of all the peaceful agents, Labour regulation was the most important, because it was a matter of daily practical concern to the great masses of the people of the nations enrolled in the League. That is why the Labour Organisation was given its own office, its own staff and

generally made, within limits, as an autonomous body. But, all the same, it depends on the League. In a technical sense it is dependent, inasmuch as its estimate of expenditure for each year is subject to scrutiny by the League of Nations' Annual Assembly, and the programme for which that budget provides can only be proceeded with when it is agreed to by the Assembly. The Labour Organisation must, therefore, cut its coat according to the measure of cloth allowed it.

But, indeed, in a wider and even more vital sense, it depends on the League of Nations because it can operate only in peace, and the League exists to keep the peace.

If war should come—that is to say, if the League should fail—then everything fails. Labour regulation, as well as all the other peace agencies, would go by the board and a troubled world would stumble on to more trouble.

Relying on peace, however, a start has been made by the Labour Organisation. It has not had much attention paid to it by the Press, and has therefore not had that help and stimulus which can only come from a well-informed and sympathetic public opinion, but it has, nevertheless, functioned for the last seven years in the interests of the workers of the world, and is destined, I believe, to be a great agency for human betterment. It may, indeed, be found to have laid the foundation for that organisation of labour which Carlyle has said to be “the whole future problem for all who would in future pretend to govern men.” It is of this International Organisation of Labour part of the Peace Treaty that I now want to deal, and I shall deal with it from three view-points: namely, its origin, its constitution and its achievements.

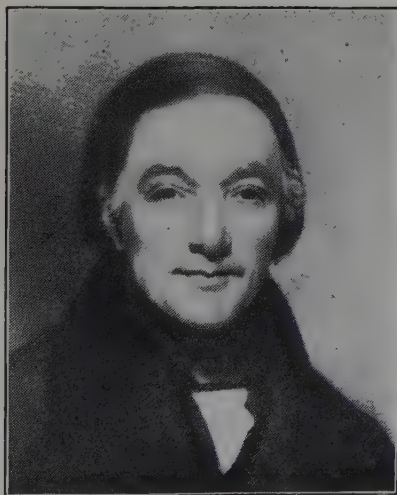
CHAPTER III

ITS ORIGIN

IN regard to the first—that is, its origin—it is probable that the idea of international labour regulation had been a hope and inspiration in the minds of men throughout the ages. But I am not going into a distant past. In its modern development the idea may be said to date from the early days of last century. After the Napoleonic wars, Robert Owen, the great Welsh philanthropist, was found at the Vienna Peace Conference pleading for international labour regulation as one of the peace conditions.

Robert Owen was born in the little town of Newtown in Mid Wales on the 14th May, 1771. And, surely, never did great reformer come from such unlikely beginnings, for he was one of thirteen children born to parents who were too poor to give him any education. But, without schooling, he schooled himself. He was educated in the battle of life in which he was soon engaged, for at nine years of age he was behind the counter of a local grocer.

But Newtown was too small to hold him long, and from his tenth to his twentieth year he is found, first in London and latterly in Manchester, where he established himself in the cotton trade and soon amassed an enormous fortune. He had made good for himself. And from then till the end of a long and strenuous life he spent his time and money in the advocacy and practice of reform for



ROBERT OWEN

the benefit of others. Theories of social, industrial and political reform literally teemed from his fertile brain and were advanced with tireless energy by voice and pen. It is not too much to say that Owen was the father of popular education and of the Co-operative Movement, for he believed in education of the young and co-operation of the adult as the two levers which would ultimately lift society to higher planes of life, and he planted the seed in his day and generation which has borne good fruit since.

In his economic views he anticipated a good deal subsequently found in the teaching of Karl Marx. He had seen practically the birth of modern industrialism, and its unmerciful exploitation of human life filled him with indignation and spurred him to heroic effort to reform it. At his mills shorter hours of labour were pioneered, and Co-operative stores were started for workers. Education for children and many reforms, since carried out by subsequent generations, were first found in actual operation at New Lanark.

But, even in those early days, he could visualise the importance of international co-operation in safeguarding conditions of life and labour, for he could see that an era of peace would open up a time of industrial competition between the nations. He wanted to curb it by international means, and that is what took him to the Vienna Congress. He had come to attach supreme importance to industrial organisation and international peace. But he was unheeded at Vienna except that he was described as a "political lunatic." Perhaps he was, but, if so, he was of the kind of lunatic who prepare the ground for the so-called wise and practical. We are better to-day because Robert Owen lived.

He was in this, as in many other things, a hundred years before his time, but looking back

on events now one can see that many of the evils which are a haunting memory of our early industrialism might have been averted, or at all events mitigated, by wise forethought and the arrangement of decent and humane conditions for workpeople. It was, however, a crude age in which labour was regarded only as raw material for the amassing of wealth, and Owen's voice was as one crying in the wilderness.

But the international idea was not allowed to drop. It was taken up by others, mainly at first by Swiss and Frenchmen, and was kept alive by public-spirited men and women. In 1890 the then young German Emperor took upon himself the convening of a Conference which had been proposed by the Swiss Federal Council about twelve years earlier. It had been frowned upon at that time by Bismarck and regarded by most Governments as a fad. But the opposition was successfully overcome and the Labour Conference of 1890 was the result.

In the year 1900 there came into existence a body which was destined to have far-reaching results in the furtherance of the idea. The "International Association for Labour Legislation" held its first conference. This voluntary organisation of men and women of the continental countries of Europe may be said to have been largely responsible for preparing the ground for the International Labour Office. It spread itself out in thirteen branches in as many of the European countries, with a central secretariat at Basle, in Switzerland. It convened every two years conferences right down to the years immediately preceding the War, and it carried on a more or less connected system of educational work in the promotion of the right public opinion. But even before its advent, another influence had come into the field, when the

Labour and Socialist movement began to get organised on an international basis, and this continued to be felt right up to the outbreak of the War. Even American Labour, which had been somewhat insular in its attitude towards the wider aspect of labour organisation, swung into line, for the American Federation of Labour passed a resolution at its annual meeting in the year 1914 in favour of bringing Trade Union representatives together at the same time and the same place as might be fixed upon for the holding of a peace conference, and it authorised its Executive to convene the gathering.

This resolution, which was much discussed at the time and during the War, was never operated, and the American Labour movement declined to take part in the conference decided upon by European Labour and subsequently held at Berne in February of 1919, but its terms may here be given as of some historical importance. It was as follows :

“That the convention of the American Federation of Labour, in view of the general peace conference which will no doubt be held at the close of the War, for the purpose of adjusting claims and differences, holds itself in readiness and authorises the Executive Council to call a meeting of representatives of organised labour of different nations at the same time and place, to the end that suggestions may be made and such action taken as shall be helpful in restoring fraternal relations protecting the interests of the toilers, and thereby assisting in laying the foundations for a more lasting peace.”

American as well as European Labour, then, was ready for international co-operation in labour regulation. And, although the American Government

afterwards backed out of membership of the League which their spokesmen had done so much to inaugurate, and therefore out of the Labour Organisation as well, yet American Labour representatives, led by Mr. Samuel Gompers, took an active part at Paris in discussing the terms of the proposed Labour Organisation. American delegates appeared then to be speaking for their fellow-countrymen both in respect of the League and of Labour.

The Berne Conventions

The outstanding landmarks in the pre-war development of the idea came in 1905 and 1906. In the former year a conference was convened by the Swiss Government at the instance of the International Association for Labour Legislation, and it was attended by industrial experts from fifteen European countries; namely, Great Britain, France, Germany, Belgium, Holland, Luxemburg, Norway, Sweden, Denmark, Austria, Hungary, Italy, Spain, Portugal and Switzerland herself. It adopted drafts to serve as the bases for two Conventions, one for the abolition of the use of white phosphorus in the manufacture of matches, and the other for the prohibition of night work for women. The first named provided for the prohibition of white phosphorus after Jan. 1, 1911, and it was signed by twelve of the fifteen States; Great Britain, Norway and Sweden dissenting.

The Swiss Government issued a second invitation to a conference which should further consider the same questions in the light of diplomatic correspondence, and this conference took place in September 1906. Sir Malcolm, then Mr. Malcolm Delevingne, who had attended the first conference, was on the second occasion joined, in the representation of the British Government, by

Sir Herbert, then Mr. Herbert Samuel of the Home Office. There was much division of opinion at this second conference on the question of white phosphorus, and ultimately only seven Powers entered into an agreement and signed a convention. These were France, Germany, Holland, Denmark, Switzerland, Luxemburg and Italy. On the question of night work for women, however, there was unanimity, and the Convention was signed by the representatives of all the States, with the exception of those of Norway, who were absent. These Conventions became a sort of rallying cry in subsequent years on the part of those who were interested in labour as an international problem.

The Berne Conferences of 1905 and 1906 were, in fact, the most widely representative and their conclusions the most widely discussed of any up to that time, and indeed up to the year 1919. The latter were officially communicated to the various Governments and became the subject of educational work on the part of a growing number of adherents to the principle of international labour regulation. But, important as were the various conferences, and especially the Berne Conferences and findings, there was for a long time but little practical result. Governments have seldom done anything in the way of social or industrial progress except as the result of persistent and consistent pressure, and in view of this there were two special reasons for lack of results.

In the first place, in so far as Governments had taken part in conferences—and some of them had taken no part—they had come under no pre-arranged obligation. In some cases they merely pigeon-holed the reports of their delegates as matter only of academic interest to theorists and propagandists.

And, in the second place, there was no permanent organisation left on the ground between one

conference and another to continue the necessary work of education and pressure. Hence the importance of a step taken at Berne. A proposal had been tabled by the British Government for an international Commission on which each of the States should be represented, and which would remain in being to prepare material for further conferences and, generally, to serve as a link between the countries on industrial questions. After prolonged discussion, however, it was found that Germany, Austria, Hungary and Belgium were not ready to give assent, and the question of setting up the commission was, for the time, allowed to drop. But the Berne representatives were not disposed to part without at least expressing in a general way their agreement in principle with the idea of a permanent organisation, and they therefore adopted a resolution favouring a Commission being set up which *inter alia* would, "without prejudice to the initiative of each contracting State, serve as an instrument for a preliminary exchange of views in cases where the High Contracting Parties are in agreement as to the utility of convening new conferences on the subject of the condition of the working classes." This was signed by all the Government representatives at Berne in 1906, with the exception of those of the four countries already mentioned; namely Germany, Austria, Hungary and Belgium. It may be said to be the definite starting point in the elaboration of an international labour organisation. The Berne conference resolution may in fact be said to contain the germ of the Paris document which was to come later.

The Berne Conventions, however, were given short shrift. A number of countries did adopt the white phosphorus Convention—this country was among the number—but these would probably have

prohibited the use of the element in question anyhow. Speaking generally, it may be said that, up to the time of the War, the question of international agreements on labour regulation remained in the academic stage.

But the War was a great leveller. As it neared its close there was a general feeling that Labour should have a distinctive place in the Peace Treaty, and should in the future loom larger in the minds of those who were responsible for international relations.

And there were other considerations. Labour regulation had become a necessity in order to safeguard the relatively high standard of life in the advanced industrial countries. Industrialism had spread out so that those older nations had no longer the hold on the world markets which at one time they had enjoyed. Time was when Great Britain was the workshop of the world, drawing its raw supplies from all the ends of the earth, and re-exporting them in the form of finished goods to the countries of origin as well as to other markets. But that time had gone or was rapidly going. The countries of raw materials had long been engaged in building up their own industries, and other countries—including the British Dominions—had imposed tariff barriers against British goods. For Great Britain, therefore, labour conditions overseas had assumed a real practical significance. Some British critics I know have asked the question, "Why an international organisation? Why cannot we be left to manage our own business?" It is but a variant of the old question, "Am I my brother's keeper?" And the answer is, in the ultimate sense, that to raise the bottom is to raise ourselves.

Modern science is knitting the nations closer together, so that to the more advanced countries

it is a special merit of the International Labour Organisation that it eases the pressure of international competition against them by raising the conditions of labour in the backward industrial nations. That, I admit, is an insular sort of argument to use in favour of an organisation with a humanitarian outlook, but at least it is a practical one. And it is one to which, I am afraid, but little attention is paid by many among us. A recent writer, who is also a keen observer, has said, "The real peril in England at the moment is the illusion of political leaders in the Socialist Party that the prosperity of the working classes may be increased without any regard to the economic conditions of other nations." Well, I don't know that the leaders of the Socialist Party are any more obtuse than the leaders of any other Party, but I am quite sure that we cannot now live for and by ourselves alone. The world has got beyond that conception. In an industrial sense the modern world is being recast by the pressure of events, for League or no League, all nations are being tied up together in an economic mesh from which none may escape. The much-vaunted self-determination of the political theorist is already in industry a thing of the past. Countries which had been backward are making things for themselves, and some of them are entering into world markets.

And British capital is being used in the process. Capital has no country. In saying that I am making no aspersion on capitalists, whom I have found much as other men. But capital is impersonal and is found where there is biggest profit to be made. And so, to give only one illustration, wealth having been amassed in Dundee from the profits derived from the manipulation of jute fibre, is sent to Calcutta where the fibre is grown, and is employed there in competition with the

Dundee jute workers. If Indian operatives were to be left to work long hours of labour, then it was obvious that the standard of life of the Dundee operatives would be jeopardised. The only way, or at all events the best way, to safeguard Dundee was to raise Calcutta. The need had arisen for levelling out industrial competition between the nations by raising the conditions of labour in the lower-paid countries. And the hope was further entertained that the general standard could be raised by concurrent change, so that no country would be unduly penalised by giving rein to humanitarian impulse.

These, then, were the considerations which had seized the minds of observers in 1919. It was seen that a Labour Organisation had become a necessity, and that it would have to run in double harness with the League of Nations, applying in the sphere of industry the same principles of reason and fair play which the League would apply in the larger field of international affairs.

CHAPTER IV

ITS ORIGIN (*continued*)

Paris Proceedings

It was fortunate that those who were called upon at the end of the War to wrestle with the gigantic task of world reconstruction fully realised the cogency of the foregoing considerations. A Labour Commission was by common consent set up as one of the first acts of the Paris Peace plenipotentiaries, and it was charged with a mandate to elaborate a scheme for world labour regulation. The terms of reference to the Commission were as follows :

“To inquire into the conditions of employment from the international aspect, and to consider the international means necessary to secure common action on matters affecting conditions of employment, and to recommend the form of a permanent agency to continue such inquiry and consideration with and under the direction of the League of Nations.”

The Commission consisted of fifteen members, being two from each of the five nations taking a leading part in the Peace Conference proceedings, namely, the United States of America, Great Britain, France, Italy and Japan, together with two from Belgium and one each from Cuba, Poland and Czechoslovakia.

It is not without significance that the principle



M. VANDERVELDE

of international labour regulation has always found favour with the peoples of the small countries. They have had reason to fear the big battalions and to look with hope on any effort to substitute reason for force in the adjustment of affairs. In the early days of preparation of public opinion for labour regulation the propagandists of Switzerland, Holland, Belgium and the Scandinavian countries were always well in evidence, prominent among them being Dr. Nolens of the Netherlands and Professor Mahaim of Liege University. The last-named was one of the representatives of Belgium at Paris and did yeoman service in the Labour Commission.

But the Commission was specially fortunate in that the other Belgian representative was M. Émile Vandervelde. M. Vandervelde has long held an honoured place in the Councils of the Labour and Socialist organisation on the Continent of Europe and is a scholar and writer of wide reputation. A lawyer by profession, he has had a varied experience of life and affairs. He was born in 1866. He studied at the Free University of Brussels, and after qualifying as a *docteur spécial* in science, became a Professor in a secondary school. He entered the Chamber of Deputies as one of the Socialist Party, of which he became the leader in 1890. He played a prominent part in the Second International, sharing with Branting, Jaurés and Hardie the palm of intellectual distinction amongst pre-war Socialist leaders. He was indeed Chairman of the Second International. In 1914, in common with his party, he supported the Belgian Government and went into exile with it. He took office in the de Brocqueville Cabinet, as Minister of State without portfolio; later he became Minister of Munitions, and later still accepted the portfolio of Minister of Justice, an office which he held at the time of the Peace

Conference. In April 1925 he was invited to form a Cabinet but was unable to do so. He then, however, became Minister of Foreign Affairs, the post which he holds in the present Government, and which enabled him to play a prominent part recently in the formulation of the Locarno Treaties. A distinguished orator, and powerful and scholarly writer, in all his public life and his published works he has striven for the good of the people and never for himself.

M. Vandervelde's hands were pretty full in the early days of Belgium's post-war reconstruction, but he made it possible to devote a good deal of time to close co-operation with the members of the Labour Commission in framing the scheme of the Labour Organisation. And he took part afterwards in its presentation to the plenary session of the Paris Peace Conference.

Labour owes much to M. Vandervelde for long service in its cause, and in that service it is due to him to mention here his advocacy of Labour's claim to a distinctive place in the Paris Peace Treaty.

Mr. Samuel Gompers, of the American Federation of Labour, was unanimously elected as Chairman of the Commission, and the Vice-Chairmen were M. Colliard, French Minister of Labour, and the present writer.

One of the most efficient and painstaking collaborators in the elaboration of the scheme of the International Labour Organisation was my colleague in the representation of the British Government at the Peace Conference and afterwards. Sir Malcolm Delevingne came out to Paris in that capacity in the early days of 1919, and we remained in close association in the exacting days there and afterwards in the no less trying time at Washington and in the preliminary manning of the provisional



SIR MALCOLM DELEVINGNE

Governing Body. He became, in fact, the representative of the British Government on the latter and remained so for the first eighteen months of its operations.

Sir Malcolm has spent his life in the British Civil Service. He is fifty-seven years of age, and he brought to the work a ripened experience and a trained mind which were simply invaluable. He was educated at the City of London School; he gained a scholarship at Trinity College and took a "double first." He entered the Home Office in 1892, and steady and merited promotion brought him, in 1913, to the post of Assistant Under-Secretary of State. Apart from his British training, he was, as already mentioned, British Delegate at the International Conferences on Labour Legislation held at Berne in 1905, 1906 and also again in 1913. As is shown elsewhere in these pages, the work done and experience gained at Berne was a most important factor in the creation of the International Labour Organisation. In addition to his official abilities, Sir Malcolm brought to the work in Paris a modest and pleasing personality which, I am afraid, was sometimes sorely tried in the somewhat boisterous controversy which afterwards raged around him. In the actual construction of the International Labour Organisation much is due to Sir Malcolm Delevingne.

A draft scheme of organisation had been drawn up in readiness by the British Delegation, and this was taken as a basis for discussion. It will be noted that we were not charged to propose changes in labour conditions for immediate adoption. On the contrary, we were to produce a scheme for presentation to and consideration of the Peace Conference which would start the nations on a career of constructive internationalism in Labour affairs. We were not expected, on the other hand,

to merely articulate declarations of abstract rights—that would have been an easy but at the same time a futile proceeding—we had to provide for some method of collective diplomacy, or bargaining, which would enable nations, and sections of nations, to work together on practical lines for the common good.

Labour at Cross Purposes

There was a good deal of misunderstanding, however, especially on the part of many Labour leaders, in regard to the scope of our mandate. We met in an atmosphere of suspicion, if not of antagonism. Many in the ranks of labour regarded us with a critical and even an unfriendly eye. They demanded that we should draw up a sort of catalogue of labour conditions of peace. Various propositions were, in fact, submitted at Paris and elsewhere for insertion in it.¹ But of course all this was quite outside the scope of terms of reference which envisaged, not the drawing up of a charter, but rather the elaboration of a scheme of organisation which, in days to come, would enable those who operated it to draw up many charters and apply them to various countries according to different and differing circumstances.

But, nevertheless, the demand for the charter persisted. I well remember M. Jouhaux, the well-known able French Labour advocate, breaking in upon us when we had nearly completed our work and denouncing that work in unmeasured terms.

¹ Nine of these were subsequently adopted in altered form and incorporated in the report of the Commission; not as part of the scheme of organisation, but as affirmations of principle. I attached but little importance to them, but it is only fair to say that those who were of a contrary opinion have been to some extent justified in the result, for the affirmations have been useful reminders sometimes of the principles to which Governments are committed.

He had come fresh from contact with the first international Labour and Socialist conference which had been held since the War, and no doubt he and his colleagues at Berne had met in flamboyant mood, determined if possible to make the Berne influence felt and the Berne decisions operative in the Councils of the Nations then assembled at Paris. And, accordingly, he declaimed against what he described as the mere setting up of more machinery which, he said, would leave the conditions of labour the same to-morrow as they had been yesterday. He demanded specific labour reforms which would at once become operative. And further, he joined with others in a demand for an international parliament which would make and enforce other labour laws for all the nations of the earth.

These exuberant demands, of course, came of a feeling of impatience with the slow movement of social and industrial progress—very creditable to the heart of those who made them, but, unfortunately, they ignored certain plain fundamental facts of the situation. In the first place, many nations were not represented at Paris. Sweden was not represented, nor Holland, nor Russia, nor many others. And there were many not directly concerned in the formulation of the Peace Treaty. But, moreover, even if they had been all represented, and if there was to be a Labour Charter, the Charter would have to be different for different and differing conditions of the various countries and would have to be sufficiently elastic to admit of changes as conditions changed. And, in the light of this consideration, the proposed Charter was, at once, found to be impossible. One of its items was to forbid the employment of any "child" under the age of fifteen in a factory or workshop of any of the signatory Powers. But a

boy or girl of fifteen in India is no longer a child. The age of maturity is by then reached and passed. Climatic differences as between country and country demanded differentiation of treatment, a task for a special authority after inquiry and not for a Peace Conference tied down to time and circumstance.

But there are other differences besides those of climate, and these may vary. Climate is, of course, a constant factor. But there are differences in industrial development which are not always the same. A ten-hours day, for instance, in India may at present produce less than an eight-hours day in England; but Indian efficiency may increase. Before anything could fairly be done in the way of advising on what should be the daily hours of labour in each country, a preliminary task was to find out what would be fair to each, having regard to the principle of equivalents in the cost of production. That could not be done at Paris in 1919. And even had it been otherwise—even if it had been possible to have made the necessary inquiry into the conditions of that time and to have inserted a recommendation accordingly for insertion in the Treaty—it would have been necessary to make provision for revision as the relativity of efficiency changed. For low labour efficiency may be due to low education or poor physique, or excessive hours, or old-fashioned methods of production, or a combination of some or all of these things, and, therefore, if improvement is effected, in any or all of them, there would be need and justification for further revision.

For all these, and many more, reasons, a uniform or an unvarying code or charter was quite impossible, and provision had to be made for the application of common-sense principles in the light of varying facts.

And, of course, the demand for a mandatory

international parliament was absurd. The time may come when peoples will accept labour laws made for them over their heads by an international authority. But, if so, it must obviously be in a distant future when a new mentality will rule the world. The proposal has no relation to the practical affairs of the world in which we live, and if adopted would simply have deterred nations from joining the new Organisation and therefore from joining the League of Nations. And the fact of its being brought forward by persons professing to speak for labour simply shows how far advocacy may diverge from fact and possibility when the advocate may think more of political party propaganda than of practical industrial statesmanship. We had to dismiss these chimeras and set up an organisation which would deal with the actualities of life.

Eastern Competition

To be quite candid, our motives were not altogether humanitarian. We knew, of course, that men, women and children were being used up in the Eastern countries, and we wanted to ease the industrial conditions in those countries so that the workers there would have a better standard of living.

But we knew also that the East was a great field of supply for the raw material of European industries, and that such raw material was being increasingly manufactured on the spot by cheap Eastern labour and was supplanting the goods from the countries of the old industrial world. True, Eastern equipment was but relatively small. In cotton it is but one-third of that of England, and that third is spread over India, Japan and China with a combined population of half that of the

world.¹ But it was—and still is—growing apace. There are now in India alone half a million cotton operatives; Indian textile mills, generally, have trebled their capacity in a dozen years. Japan had increased output of cotton goods (expressed in thousand yards) from 76,702 in 1903 to 739,390 in the year 1919 (it has gone up to over a million since), and was finding her largest market in China. Even China herself—that great amorphous conglomeration of archaic humanity—is waking up under the spur of Western ideas. “Twelve years ago,” said Mr. V. K. Ling, Organiser of the Geological Survey of China in the sixtieth anniversary number of the *North China Daily News* of July 1924—“Twelve years ago there were barely half a million spindles owned and operated by Chinese companies. They were practically confined to Treaty Ports. At present there are about two and a half million spindles in operation in 180 mills scattered over fifty cities, many of them right in the interior.” And it may here be said that the number of spindles in China has increased in the two intervening years to three millions and a third according to the latest information of the International Cotton Federation. The East is ceasing to be only a customer and is becoming a competitor as well, and a competitor enjoying in some respects an advantage over the Western world. It was for these reasons that the Eastern countries had for us a special interest.

We were specially concerned in Eastern labour conditions being raised to a higher level because European standards were in jeopardy by the

¹ The cotton spindles of India, China and Japan together number 17,000,000 and those of England 57,000,000. The combined population of the three Far Eastern countries is 800,000,000 of a total world population of 1,600,000,000, and these countries are the chief market for this country, which exports four-fifths of its manufactured cotton goods.

products of the East being brought into competition with the Western world. If, in short, Eastern conditions remained low, the old industrial world would be faced with only two alternatives—either to accept a lower standard of life or lose the Eastern market. We of the older industrial countries will lose part of the latter in any case, because, in the natural order of things, Eastern peoples will do things for themselves more in the future than they have done in the past. And so long as the change comes slowly, and is accompanied with higher standards of purchasing power on the part of Eastern peoples, we shall have nothing to complain about and nothing to fear, because general prosperity will thereby be increased and diffused. It is therefore a legitimate part of the work of the International Labour Organisation to promote that rising Eastern standard of life, and in so doing, to raise international competition to a higher level.

These, then, were the sort of considerations which were present to our minds in the course of our deliberations at Paris. If I appear to unduly emphasise the aspect of Eastern competition the reply is that it is used in an illustrative sense. The same considerations apply to the countries of lower wage rates and longer hours in the Western world. We had to construct an organisation which would be responsible for proper inquiry into relative conditions in the various countries, and which would then promote the appropriate concurrent national action in the field of industry.

We held thirty-six meetings, and it then fell to my lot to submit the completed document to a plenary session of the Peace Conference, being supported by M. Vandervelde; M. Colliard, Labour Minister of France; Mr. Barzilai of Italy; Lord Sinha, for India, and the Maharajah of Bikaner. President Wilson also gave it his blessing and endorsed a

proposal which had been embodied in the Report that the first Conference should be held at Washington. This acceptance of the scheme of Labour Organisation by the Peace Plenipotentiaries was on the 11th day of April, 1919, and the Organisation may therefore be said to have been born on that day. It was Labour's contribution to the structure of the League of Nations, supported at each stage in its elaboration by Mr. Lloyd George, and loyally defended afterwards from its critics by M. Clemenceau.



CHAPTER V

CONSTITUTION

THE first thing to be noted in regard to the constitution of the International Labour Organisation is that, except as to an addition to be mentioned presently, its borders are coterminous with those of the League of Nations. This was insisted upon by the Labour Commission at Paris. It was unanimously felt that all the nations then joining the League, and all who might subsequently join, should come under identical obligations. True there were some nations which had but little industry, but conditions might change and, in any case, they might be involved in questions arising out of the industries of other nations. Some of them provide food for industrial countries which are themselves concerned in the conditions under which it is produced, a case in point being the gathering and packing of figs in Greece, under alleged insanitary conditions, for the European and American markets. These things might easily lead to international complications. They lie on the borderland of the respective functions of the Labour Organisation and the League of Nations and might be included in either.

The addition is Germany, which country, although not a member of the League of Nations, is, and has been from the date of its opening conference, a member of the International Labour Organisation. This membership was insisted upon by the European Labour Organisations and

assented to by the Peace plenipotentiaries at Paris in anticipation of Germany's ultimate entry into the League.

In the very forefront of the Preamble of the Labour Organisation there are found these words :

“Whereas the League of Nations has for its object the establishment of universal peace, and such a peace can be established only if it is based on social justice,

“And whereas conditions of labour exist involving such hardship, injustice and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled; and an improvement of those conditions is urgently required . . .” etc.

Thus the two organisations are linked together in purposes which are common, labour regulation being necessary for the maintenance of peace as well as peace being a necessary condition for existence of the Labour Organisation.

The Labour Conference

The Conference is the legislative organ. It meets every year. Annual Conferences have now become a fact. But instead of employers and employed being present, if at all, as representing, and paid by, their respective sides, they are now given diplomatic status and paid by their Governments. Instead of only a few Governments being represented, and these coming under no obligation in respect to decisions, all the Governments of the Member States of the League are now entitled to send representatives, and they come under obligation to take action on decisions at the instance of the Secretary-General of the League,

to whom the findings of a Conference are forwarded and by whom they are in turn communicated to the Member States. The League of Nations is, therefore, definitely associated with the Labour Conference in that it is the Secretary-General of the League who addresses the decisions of the Conference to the Governments of the Member States. It is also the Secretary-General of the League who receives and registers the ratifications of the Conventions adopted by the Conference, and finally the League may be associated again at the very end of the possible procedure in connection with those decisions; for, supposing a Member State feels itself aggrieved in regard to the failure of another State to carry out its obligations by not enforcing the provisions of a Convention which it has ratified, it can complain on the matter to the Office, and, ultimately, the Governing Body of the Office may refer the complaint to a Commission of Inquiry which is to be chosen by the Secretary-General of the League from a panel of persons nominated by the various Governments for their industrial experience.

The proposals of a Conference may take the form (a) of a general *Recommendation* for consideration by Member States with a view to its being given effect to by legislative or other means, or (b) a *Convention* drawn up in more precise and detailed terms for ratification by the Member States.

The difference between a *Convention* and a *Recommendation*, in fact, may briefly be stated as follows: Draft Conventions are legal texts which must be submitted to the national authority, and if ratified embodied directly in national legislation. Recommendations are general principles for the guidance of national Governments in drafting national legislation or in issuing administrative orders.

I will return to this difference later, but will here only point out that, whether in regard to the one or the other, the Governments come under obligation to submit Conference findings to their respective competent authorities for the enactment of legislation or other action. This is really the essential feature of the International Labour Organisation constitution. It pledges Governments to do something with Conference proposals. And, in consideration of that fact, Governments are allotted one-half of the representation, and a majority of two-thirds must be in favour of a recommendation or convention before either of them is adopted at a Conference. Objection was raised to Governments having as many votes as employers and workers combined, but it was defended and carried on the ground of this specific obligation. And, therefore, a Conference consists of two Government delegates, together with one from employers and one from employed, from each country; and each delegation is also entitled to two expert advisers on each item on the Agenda, the expenses of these as well as of the delegates being paid by the Governments.

Objection has also been raised to giving separate and distinct representation and status to employers and employed, as it has been said that this unduly encourages and emphasises class division and interest. In regard to this it should be enough to point out that the framers of the International Labour Organisation did not make these class divisions. They were there. The Conference but brings the two sides together and affords them an opportunity of adjusting differences by reason instead of force.

The Governing Body

The Executive is called the Governing Body and it consists of twenty-four members under a Chairman, of their choice and number; twelve of the seats are held by Governments chosen from the Member States in such manner as to ensure that two-thirds of the representation are always from the States of greatest industrial importance, the other four being chosen by the Government Delegates of the other States represented at the Conference. Of the other twelve members, six are employers and six are workers, elected by name by the employers' and workers' delegates at the Conference. This Governing Body meets at least every three months and is responsible for the preparation of the Agenda for the Conference, but provision is made that such Agenda shall be prepared from suggestions made by Member States and circulated to all such States before the Conference meeting, so that time may not be wasted in discussing new matter.

The Governing Body also controls the International Labour Office, which is, as it were, at once the secretariat and the civil service of the Organisation. The Office, under its Director, collects information bearing upon the questions coming up for discussion, and, in addition to its functions respecting Conferences, it also keeps in touch with voluntary associations as well as with Governments throughout the world, and must, under the Treaty, issue a journal for the diffusion of information and the sifting of facts on Labour matters generally. This phase of the work of the Office is, in fact, of great importance, as I shall show, for in this way things are revealed which would otherwise remain hidden, and public opinion is informed and marshalled against abuses.

As regards structure, it will be seen that the International Labour Organisation is similar to, as well as organically connected with, the League of Nations. Its annual Conference corresponds to the Assembly of the League, its Governing Body to the Council, and its Director and Staff to the League Secretary-General and Secretariat. If, at any time, the idea of an industrial world parliament should mature, then it would be an easy matter to cut loose and start the Labour Organisation as an independent authority. Till then Labour and the League must sail in company.

Government Obligations

What, then, are the different obligations resting on Governments in relation to the proposals of a Conference? The relevant words of the Article of the Treaty (Article 405) are as follows :

“Each of the Members”—that is, the Governments—“undertakes that it will . . . bring the recommendations or draft conventions before the authority or authorities within whose competence the matter lies, for the enactment of legislation or other action.”

If the competent authority refuses to ratify, then the Member is under no further obligation, but Governments are at all events under obligation to consult that authority. And if their delegates voted for a Recommendation or Convention, then a Government is, of course, under moral obligation to recommend its adoption. Much has been said and written recently as to who or what is “the authority or authorities within whose competence the matter lies.” There was no dubiety in the minds of the framers of the constitution as to where competence should lie in a country of representative

and responsible parliamentary Government. Parliament was intended as the competent authority. It was because of that view that importance was attached to the fact of a permanent organisation coming into being as an agency for influencing Parliament through public opinion.

But now I return to the question of the provision made for differing degrees of obligation on countries of different and differing conditions. In the first place, there is the case of the Federal Governments, of which, of course, the United States Government of America is an outstanding illustration. The forty-eight States of the Union have certain rights in regard to Labour laws, but they were represented only indirectly by the central—that is, by the Washington Government—delegates. These could not answer for the States submitting Conventions for ratification to their respective competent authorities.

The plan adopted was, therefore, for the central Government at Washington, and other Federal Governments, to regard Conventions as Recommendations, for treatment only by each State as provided for in regard to Recommendations. This meant a different degree of obligation as between a country of a Federal Government and one with an over-riding central authority—a mode of procedure which was, of course, regrettable but unavoidable. The difficulty was there. We did not make it, but we had to deal with it, and we did so in the following words :

“ In the case of a Federal State, the power of which to enter into conventions on labour matters is subject to limitations, it shall be in the discretion of that Government to treat a draft convention to which such limitations apply as a recommendation only, and the

provisions of this Article with respect to recommendations shall apply in such case.” (Article 405, Peace Treaty.)

Climatic and other Differences

There still remained the task of providing for variations or modifications to meet cases of climatic or industrial differences. And after much discussion a form of words was agreed upon as follows :

“ In framing any recommendation or draft convention of general application the Conference shall have due regard to those countries in which climatic conditions, the imperfect development of industrial organisation, or other special circumstances, make the industrial conditions substantially different, and shall suggest the modifications, if any, which it considers may be required to meet the case of such countries.” (Also Article 405.)

This admits of variations in regard to hours of labour or statutory starting age for boys and girls according to ascertained circumstances. The much discussed Eight-Hours Convention—which in reality is not an Eight-Hours Convention at all except for the advanced industrial countries—was framed in accordance with this clause and, as will be seen later, has been of great value in improving Eastern conditions of labour.

CHAPTER VI

ACHIEVEMENTS

THE question remains, to what extent has success been attained in realising the objects in view? I will endeavour to answer that question—upon which much depends—from a study of the records of the last six years. And dealing with the matter in chronological order, I begin with the first Conference. This was held at Washington in November and December 1919. Washington had been decided upon as the place for the first Conference (subsequent Conferences were, of course, to be held at the seat of the League of Nations) as a compliment to the Americans and an honour especially to President Wilson, who at the time was in the heyday of his power and popularity. And the President had heartily responded. On the occasion of the presentation of the scheme to the Peace Conference he had said that “he had been greatly interested in the suggestion that the first Labour Conference should be held in Washington. He assured them that the Conference would meet with the most cordial welcome there.”

But! one never knows. As to the welcome, the least said the soonest mended. By the time of the date for the Conference falling due President Wilson had fallen from high estate and, although still President, had few friends in Washington. Moreover, he was broken in health and, worse still, the United States of America were no longer with us in the new enterprise. Under the new and

changed circumstances Washington had become somewhat of a misfit for the initial Conference, and was made more so by the fact of some industrial strife raging in the country at the time. The Conference, however, was duly held, as before said, at Washington, but under circumstances which at first somewhat militated against success.

In the early days of 1919 the American Government had been pledged to co-operate in making the necessary local arrangements, a special Organising Committee, however, had been appointed at Paris, and the local organisation of the Conference fell to the lot of that Committee. It was under the guidance of Sir Malcolm Delevingne and Mr. Arthur Fontaine, ably assisted by Mr. H. B. Butler, C.B., and Mr. E. J. Phelan, of the British Ministry of Labour, and Mr. C. Pone, of the corresponding Department in France.

Mr. Butler was born in 1883. He was a scholar of Eton and of Balliol College, Oxford. In 1907 he entered the Local Government Board, but was transferred in 1908 to the Home Office. In 1910 he served as Secretary of the British Delegation to the International Conference on Aerial Navigation. In 1914 he was Acting Assistant-Secretary to the Home Office; in 1916 he was appointed Secretary of the Foreign Trade Department of the Foreign Office; in 1917 he became Assistant-Secretary in the newly-created Ministry of Labour, and in 1919 Principal Assistant-Secretary. At the Peace Conference he was Assistant General Secretary of the Labour Commission; the importance of his services in the founding of the International Labour Office needs no emphasis. He was next, as I have said above, Secretary General of the first (Washington) Conference, and in 1920 was appointed Deputy Director of the International Labour Office. The ability



H. B. BUTLER, C.B.

which he has shown in the international sphere reflects no little credit upon our British Civil Service, in which he had already had so distinguished a record. His unswerving loyalty to his chief, M. Albert Thomas, should also be recognised, though to one who, like myself, has worked with Mr. Butler, this has occasioned no surprise.

The Labour Organisation began its career with another handicap—one of its own making. It tried to do too much at once and weakened its influence and moral prestige by doing so. Its first Agenda consisted of five items, namely : (1) The application of the principle of the eight-hours day or forty-eight-hours week; (2) Question of preventing or providing against unemployment; (3) Women's employment (*a*) before and after childbirth, including the question of maternity benefit, (*b*) during the night, and (*c*) in unhealthy processes; (4) Employment of children : (*a*) minimum age of employment, (*b*) during the night, and (*c*) in unhealthy processes; (5) Extension and application of the International Conventions adopted at Berne in 1906. This programme had not been put forward for adoption in the sense of asking the Governments to legislate on all its items in the year following. It had been intended rather as a set of questions from which selection might be made—that conventions or recommendations might be drawn up on such questions as were ripe, and that, in respect to others, things might be put in train for conventions or recommendations at subsequent Conferences, when Governments had had time and opportunity to study the proposals which might be made.

The general scheme of things, as submitted to and accepted by the Peace Conference plenipotentiaries at Paris, was to get results and not merely to talk about what might be done some time. In other words, the idea of annual Conferences carried with

it the implication of practicability—of doing first things first and continuing year by year to press on to further achievement as public opinion was ripened and Governments converted by its pressure. In the eagerness and enthusiasm of the time, however, these considerations were forgotten at the Washington Conference. Conventions or recommendations were drawn up on all the items on the agenda and, in at least one important case, even travelled outside of it, for an amendment was accepted applying a maternity convention to commerce as well as to industry, an amendment which doubled the area covered and brought in women, in respect to whose condition of employment nothing had been ascertained. In all, six conventions and six recommendations were adopted at this first Conference, some of them on questions not previously considered by any Government and covering, in sum, an immense field of possible contention.

Subsequent Conferences, however, have kept more within the bounds of possibility and have acquired, or are acquiring, a due sense of responsibility. During the last five years propositions generally have only been discussed after preliminary examination by Governments and by those primarily concerned in the industries scheduled for attention. The new organisation has, in fact, “found its feet.” It has landed on Mother Earth and recovered from the handicap which it imposed upon itself at the beginning. And it can now point to immense results which have come, and are still coming, from its operations. Let me now briefly pass some of these in review. I take first the conventions, and in doing so I merge those of Washington with the others, which have been adopted by subsequent Conferences.

Conventions

In the course of seven Conferences, beginning with Washington, twenty Conventions have been adopted and submitted to the affiliated Governments by the Secretary General of the League of Nations. These include the two Berne Conventions which were brought forward from the Conference of 1906 and incorporated in the programme of the new organisation of 1919. What has been done with them?

First, a few words of explanation are due with regard to the Berne Conventions. The most important of them was undoubtedly that relating to the abolition of the use of white phosphorus in the manufacture of matches. This reform had been advocated for many years before the Berne Conference. Public opinion had been stirred by disclosures of the ill effects on the workers in consequence of handling the poisonous elements in question. The matter was the more serious inasmuch as the injury was done to women, of whom many were married, and dreadful diseases were, it was said, handed down to children. Hence the agitation for prohibitory legislation. And, as I have said, some countries did prohibit, and took the risk of economic disadvantage. Since 1920, when the Convention was adopted and pressed forward by the International Labour Organisation, the following countries have ratified it: Australia, Austria, Belgium, China, Czechoslovakia, Esthonia, Finland, Hungary, India, Japan, New Zealand, Poland, Roumania and Sweden; Dantzic and Palestine have also adhered to it. That is to say, fourteen additional countries have ratified the Convention and passed laws according to its stipulations during the last five years, and it may now be said that all the match-making countries

in the world have abolished the poisonous process. It is a thing of the past, and it is impossible to over-estimate the amount of suffering which has been prevented, not only to the match-makers themselves but to children unborn.

The other Berne Convention had reference to women in industry. It was framed with a view to the prohibition of night employment or unduly long and uninterrupted spells of work. And, in regard to this, success has been less marked, due in large part to the attitude of the women themselves. Many are opposed to what they regard as unnecessarily restrictive legislation for women because, as they think, it unduly restricts the area of employment and tends to lower wages. This view has been increasingly held of late years by the Feminist Societies, especially in the Scandinavian countries. On the other hand, the principle of special legislation for women has always been a principle of British factory legislation under which men benefited only because, incidentally, they were fellow-workers with women in the factories. The principle has always been upheld and defended by British organised labour on the ground, among other reasons, that women cannot, or have not chosen, to protect themselves industrially by Trade Union organisation. It was because of these reasons that the Labour Commission at Paris, perhaps without due consideration, inserted a declaration that "protection . . . of women" was a principle of the Organisation. But at the same time it inserted provision for women taking a part in determining any matter affecting their sex. The Berne Convention was, however, framed before controversy became acute on the position of women in industry. It has been adopted, either before or since its endorsement six years ago, by the following fifteen countries: Austria, Belgium, Bulgaria,

Czechoslovakia, Esthonia, France, Great Britain, Greece, Holland, India, Irish Free State, Italy, Roumania, South Africa and Switzerland. It may now be said that the Berne Conventions have been liquidated. We have now got beyond Berne conceptions as to what was internationally possible, and the twenty conventions and twenty-five recommendations adopted by the International Labour Conference during its seven sessions, together with the other and, in some respects, larger spheres of activities, cover a vastly greater field than was dreamt of by the old International Association for Labour Legislation.

Eastern Reforms

Contrary to expectation, it is found that the richest harvest has been garnered in the East. We had been apprehensive of Eastern timidity, and we have found Eastern authorities most responsive to human appeal. And we have also found them, on the whole, more loyal to the pledged word. This applies particularly to India. I believe I am right in saying that India has carried out very completely the obligations assumed at the Conference, and I say that with intimate knowledge, because I was Chairman of the Special Commission which was set up at Washington to fit conventions to the conditions of Eastern countries, and I know, therefore, just what Indian representatives, after stubborn debate, agreed to recommend to the Indian Government. They were slow to accept responsibility, but having accepted, they have been splendidly loyal since to the decision then reached. And as a result, India more than most countries has come under the beneficent operations of the new régime.

Before the Washington Conference the Indian

hours of labour in factories and workshops were seventy-two per week and children started at a very early age. Conventions were then drawn up and discussed in great detail, modified on cause being shown, and finally adopted. As a result the following provisions have been made by legislation :

(1) Hours of labour have been reduced from seventy-two to sixty per week—a reduction of twenty per cent.

(2) The starting age for boys and girls has been raised in certain industries to twelve years of age, which may be said to be about equivalent to fourteen or fifteen in this country.

(3) The number of hours a “ child ” may be employed in a factory has been fixed at a maximum of six per day.

(4) The unit comprising a factory has been brought down in the definition to twenty and, in certain cases, to ten.

(5) Night work of women and young persons has been abolished.

(6) A weekly rest period has been provided for.

(7) White phosphorus convention has been adopted in the match industry.

(8) Humane regulations have been made for entry into ship service.

(9) Free public labour exchanges have been provided.

(10) Rights of combination have been conferred on agricultural workers.

As much has been done to humanise industry in five years in India, under the spur and inspiration of the I.L.O., as we were able to do in this country by a century of patient and toilsome advocacy by Robert Owen, Francis Place, and many others, including Lord Shaftesbury.

Japanese Changes

Let me now turn to Japan. A few years ago there was practically no protective legislation for Japanese factory workers. And there was but little trade unionism by which they might have protected themselves from the worst rigours of a growing unregulated factory system. Moreover, the Government rather frowned on efforts which were made from time to time to organise labour. Japanese industry was, in fact, going through the same kind of hardship and oppression which had been such a distressing feature of early industrialism in the Western world.

At the first International Labour Conference certain recommendations and conventions were adopted and adapted to Japanese special conditions. As a result of those and subsequent conventions, Japan has taken a long stride in industrial amelioration. Moreover, under the urge of the International Labour Organisation influence, trade unionism has been given a start and has taken root in the country. It has now three hundred thousand members, one federation alone having enrolled forty thousand. Japan has evinced a keen interest in the International Labour Office and sustains a special organisation to keep its principles before public opinion. I am sorry to add that the Japanese Government has not yet ratified the Hours Convention, which contained provisions as to time limits of adoption to meet her special needs, but in regard to this it is fair to say that she has not been shown a good example by the older industrial countries. But in the last four years she has :

- (1) Prohibited the employment of children under twelve and under fourteen if the school course has not been passed up to the later age ;

(2) Adhered to the Convention prohibiting the use of white phosphorus in the match industry;

(3) Prohibited the employment of boys under fourteen on board ship;

(4) Provided a system of free public employment exchanges, and is in course of abolishing the fee-charging exchanges for sailors which have in many countries been centres of grave abuse;

(5) Insisted upon the medical examination of boys and youths employed at sea;

(6) Passed legislation for the protection of women before and after childbirth; and

(7) Passed an Act of Parliament providing for the abolition, after three years, of night work for women and young persons.

This last constitutes an enormous change, for it means the abolition of the double-shift system which has been a characteristic feature of Japanese factory industry. It will entail a great increase in plant and machinery. And there is still some prospect of the adoption of the Washington Convention respecting hours of labour. It must not be forgotten that Japan has amended her Factory Acts in the direction of the special provisions made for her case in the Washington Hours of Work Convention, without, however, completely fulfilling them. Again, at the 1925 Session of the Conference the Japanese Government Delegate said, in reply to Indian criticisms, that "the actual situation in Japanese factories gives ground for hope that the shortening of working hours upon a reasonable basis may be greatly accelerated. According to statistics, factories adopting eight hours or less than eight hours' work increased to 21 per cent. in 1921 from 12 per cent. in 1919. The

factories which adopted more than ten hours, on the other hand, were reduced to 28 per cent. in 1921 from 35 per cent. in 1919, and it is quite remarkable that the application of the eight-hour system in big modern factories is an increasing tendency in Japanese industry." Japan is, in effect, bringing herself abreast of the advanced Western nations in regard to industrial legislation and administration; although, as we have seen, much has been done, it has still to be confessed that much remains to do.

China

Even China has come under the beneficent sway of the Labour Organisation. The evils of pre-war Chinese industrialism were vividly depicted by, among others, Dr. Sherwood Eddy, a well-known American Young Men's Christian Association leader. Dr. Eddy visited Chinese factories and has left a gruesome record of the conditions prevailing in them at that time. In a silk factory a thousand employees toiled from morn till night under shocking conditions of neglect. Girls of six years of age were earning fivepence a day and mothers were working with nursing babies lying on the floor beside them. In one place men and boys were working sixteen hours a day.

This was twelve years ago. But there is later testimony of the same kind. Thus a letter from a group of workers to the mission of the World's Young Women's Christian Association recalls the keynote of the British workers' struggles of a century ago. It is in 1923: "We saw in the newspapers," say these Chinese workers, "that you came to our country to investigate. We have never enjoyed the happiness of having holidays or Sundays. We work twelve-hour shifts, day and night. We plead to you to say a word of justice

for us. Ah, when shall we be treated as the European workers ? ”

When indeed ? The recent industrial disturbances in Shanghai and other Treaty Ports have perhaps hastened the time. At all events the reports from China have thrown a lurid light on Chinese industrial conditions, which remain still a blot on the country and a menace to conditions of labour elsewhere.

But a start at improvement has been made. It would be idle to say that, in the existing perturbed state of the country, any law or edict would be faithfully and generally carried out, and the I.L.O. Conference has, I think wisely, refrained from attempting as yet to frame any detailed code to the industries of the country. But the Labour Office has nevertheless made friendly representations in accordance with principles laid down at Washington, and as a result of repeated suggestions from the Labour Office at Geneva, the Chinese Government has taken steps in the direction of improvement. By a presidential decree dated March 1923 regulations were issued as follows :

- (1) Limiting hours of labour to ten per day ;
- (2) Prohibiting employment of boys under ten years of age and girls under twelve ;
- (3) Limiting the employment of young persons to eight hours per day.

And so, even under existing adverse conditions, something is being attempted by Chinese authorities towards abolishing the frightful condition exposed first by Dr. Eddy and confirmed by more recent observers.

But voluntary agencies are also at work under I.L.O. inspiration and guidance. In May 1922 the National Christian Council in China, at a great meeting in Shanghai of over a thousand members,

formed a special industrial section and endorsed the International Labour standards contained in the Washington Conventions of the Labour Organisation. And so the recommendations and conventions of the Labour Organisation are becoming rallying-points for the various Christian and philanthropic agencies in the country, some of these being American, so that the United States of America, although not yet a member of the International Labour Organisation, is nevertheless being identified with its work.

Persia

But the Organisation does not only adopt conventions and recommendations of Conferences and press for their ratification, important as are these activities. It gathers facts and uses them for good purposes. The Governing Body, as the eyes and ears of the Organisation, is constantly getting abuses rectified by publicity and good-will. It is dispelling darkness and dragging ugly things into the light of day, where they cannot live. For evil things cannot bear the light.

A case in point is that of Persia. That country is not one which is thought of in connection with industrialism until one thinks of carpets. And then it is remembered that it is the country from which much of the floor covering of the well-to-do of other countries comes. But no one had thought of the labour conditions under which the carpets were produced, and there had been no recommendation or convention applying to the country because of lack of information. Recently, however, on the reports of British consular authorities in Persia, the British Government made representations to the Geneva Labour Office, which brought the matter under review. The operatives, it was

reported, were working in shocking insanitary conditions. Little children had to do their part of the work on the carpet face while slung in cradles, and when liberated at the end of the day were often found to be suffering from cramp and unable to walk. As a result of friendly representations made by the Labour Office to the Persian Government, these conditions have been abolished. The Government ordered the manufacturers at Kirman, which is the seat of the carpet industry :

- (1) To enforce an eight-hour day;
- (2) To cease employing children under ten years of age;
- (3) To improve sanitary conditions;
- (4) To provide stoppage for a midday meal, and
- (5) To provide seats for women and children to work in normal positions.

In 1924 the British Government was able, from information obtained from independent sources, to confirm the importance of the improvements effected as a result of the I.L.O.'s intervention.

Native Labour

There is still another category of labour, lower in its degree of organisation and efficiency and more helpless to defend itself, perhaps, than is the labour of the East. I refer to the labour of the native peoples of Africa and of some parts of Asia, *i.e.* protectorates and possessions in respect to whom the members come under obligation by Article 421 of the Treaty as well as by Mandate. That also has not been lost sight of. The Governing Body quite early in its career instructed the Office to make a study of the conditions of such labour, and that study has been pursued and made direct use

of through the Organisation's connection with the Mandates and Slavery Commissions of the League of Nations. A representative of the Office, sitting with the Mandates Commission, has again and again called attention to abuses and evils which the Mandatory Powers responsible have done much to redress. I give as an example of the effective work done in this direction a recent case where the mortality among native workers has been reduced from the terrible figure of 130 per thousand per annum to less than 30 as a direct result of the rapid action of the Mandatory Power when its attention was called to the state of affairs by the Organisation's representative through the Mandates Commission. Year by year when the reports of the Mandatory Powers are examined by the Commission the conditions of native labour are minutely examined and reported upon to the Council of the League. This is indeed light in dark places, and the knowledge and experience now being gained will no doubt lead in the future to effective international action in the way of securing agreement as to the standards to be adopted where black or coloured labour is in white employ.

The recent inquiry into slavery has demonstrated that perhaps the worst evil of modern times is not slavery in the old sense of ownership, which has gradually been reduced if not eliminated from the modern civilised world, but the forced labour which is frequently imposed upon subject peoples, often without pay, and very frequently with so little attention to sanitary conditions that its effects upon the population are truly disastrous. Some authorities aver that the depopulation noted in some parts of Africa is due in no small measure to the burden of forced labour. Here is a problem to which the International Labour Organisation must devote itself, and is now preparing to devote

itself; perhaps it could find no more fruitful field for the beneficent employment of its activities.

But, to conclude, in regard to Eastern changes and in that of native labour, I think that the recital of them amply bears out what has been said about the rich harvest of achievement. It is a harvest of achievement which is of practical importance to the workers and manufacturers of the Western world because it has eased the pressure of international competition against them, which is important, and it would be mere affectation to in any way underrate its value. But the humanitarian aspect of it is, of course, the feature which may be regarded with most satisfaction, for the poorest and most dependent worker has been raised in the scale of existence. He of all people has cause to bless the Labour Organisation.

The New Nations

What of the application of International Labour Organisation principles to the new countries and those which were reconstructed at the end of the War? Here, again, the results have been surprising. We had expected much, and we have to record but little from most of the older countries. France and Germany, for instance, appeared for some time to be impervious to the new idea and apparently case-hardened in conservatism. But the countries which grew out of the War, and which started with a clean slate in regard to industrial legislation, have largely taken the International Labour conventions as the basis of their industrial law and, with the exception of India, have more completely than other countries adopted them.

Of the twenty-one conventions, including those brought forward from the Berne Conference of 1906, which have been adopted by the International

Labour Conference from 1919 to 1925, Poland has ratified fourteen, Esthonia fifteen, Roumania twelve, Bulgaria sixteen, Czechoslovakia eight, Latvia¹ six and Finland¹ eight. These figures show that the Office is exercising an influence on, and moulding the policy of, these new and reconstructed nations and enabling them to escape from the terrors which had been common to early industrialism elsewhere. Of course it may be that legislation in some of the countries named is not carried out so efficiently into the region of administration as in those with an older and more settled civil service, and this fact has been much dwelt upon by critics. But this phase of the question has not been lost sight of and, as a matter of fact, the question of factory inspection has engaged the attention of a recent Conference, and is at the present moment engaging the attention of the Labour experts at Geneva as arising out of the proceedings of such Conference. Moreover, the fact that in many countries efforts have been made from time to time by the employers to secure the repeal of industrial legislation is evidence that it is far from ineffective.

The Attitude of the Older Nations

I come now to the consideration of how the International Labour Organisation is to be regarded by the Governments of the older industrial nations of Europe. What is to be their attitude towards it? After all, its future is bound up very largely in the answer to that question. And it must be admitted that the indications are not altogether reassuring. It is true that the references to the Labour Office by our Government spokesmen are quite friendly, but, as the old English proverb says,

¹ In the case of Finland ratification has been authorised in two further cases, and of Latvia in seven.

“fine speeches butter no bread.” The projectors and supporters of the Labour Organisation are more concerned in noting what has been done or left undone—than in what is said. And from this point of view the record is bad. Up till 1925 neither France nor Germany had ratified a single convention except that in regard to white phosphorus, but the French Government has now ratified four further conventions and the German the same number. Belgium has ratified but seven, and although Great Britain appears in an apparently favourable light in regard to ratifications, the position is by no means what it seems. The British Government at the end of 1925 had ratified eight conventions, but only four of these have involved any change, and these are of minor importance. In March 1926 Great Britain had ratified three more conventions, bringing her total to eleven.

None of the older industrial countries of Europe have adopted the Hours Convention. By their default these older countries have put those which have ratified in a relatively worsened position. And we in Great Britain are most in fault, for the Hours Convention was drafted under the direction of Mr. Tom Shaw, since Minister of Labour in a British Government, assented to by the representative of the British employers and voted for by the representatives of the British Government. Moreover the timidity of the British Government is all the more remarkable inasmuch as there is less to lose—or to risk—by its adoption in this country than would be lost—or risked—in any other. Eight hours per day, or less, is already the standard in all the British staple trades.

The British Government, however, did, in March last, take a step which may yet have far-reaching consequences. It convened a meeting in London of the Labour Ministers of all the chief industrial

states of Europe with a view to coming to a common interpretation, and, subsequently, to a common ratification of the Hours Convention. The Ministers of France, Belgium, Germany and Italy met Sir Arthur Steel Maitland, the British Labour Minister, and, after some days' close study of the document, a common understanding was reached. On that understanding the five Ministers agreed to recommend their respective Governments to ratify. One may be justified, therefore, in entertaining the hope, and belief, that at last there may soon be an enforcement of an eight hours day in the manufacturing countries of Europe. I am sure that it would do much to safeguard British economic standards, and it would, in addition, give great satisfaction to labour throughout the continent of Europe.

Even then there might be divergence of view about interpretation in the administration of the law in the several countries, and, in that event, provision is made for uniformity. Under Article 408 of the constitution of the Labour Organisation each of the members agrees to make an annual report of the carrying out of a convention to which it has become a party, and Article 423 empowers the Governing Body to submit any difference, if need be, to the International Court of Justice. A Standing Committee of the secretariat would appear, however, to offer the more simple way of surmounting any further difficulty should such unfortunately arise. For it could critically examine the reports and make such friendly representations, through the Governing Body, as might be necessary under any circumstances disclosed.

Another convention for which we in this country of England have special responsibility, and in which we, as a maritime nation, have a special interest, is

what is known as "The Unemployment Indemnity (Shipwrecked Seamen) Convention." The object of this is to provide for a seaman being paid his wages and brought back at the expense of the shipowner to the country of shipment in the event of the ship being wrecked. It was adopted in 1920. The proposal is a very modest one, but one in regard to which seamen attach great importance, inasmuch as difficulty is oft experienced in getting home as shipwrecked mariners through the agency of consular authorities. And it is one which would only put the shipowner in the same position as the owner of a factory in respect to accidents. It would be an obligation covered by insurance just the same as an industrial risk. Yet I am sorry to say that only nine countries have ratified, but I am glad to say that Great Britain, having ratified in March 1926, is one of the nine. Perhaps a few lines may be permitted here on one of the causes of slowness of ratification—namely, the congestion of Parliamentary business. In the "older" States in particular, it is often very difficult to find Parliamentary time to make the minor changes in legislation which may be required, to permit ratification—more difficult, perhaps, than to find time for far more drastic and controversial issues. The "Shipwreck Indemnity Convention" affords a good illustration. It was adopted in July 1920: in February 1924 the Labour Government introduced a non-controversial Bill into the House of Lords. There it passed all stages, but after it had been read twice in the House of Commons, the Government fell. The Conservative Government reintroduced the Bill in February 1925, and it finally received the Royal Assent in July 1925. Yet even so the formal act of ratification did not follow until March 1926—nearly six years after the adoption of the Convention.

And still a third outstanding convention is one, adopted at the annual Conference in 1921, in respect of the use of white lead in paint work. Prohibition was urged by the operative painters, but other interests, while opposed to sweeping prohibition, were in favour of restrictive regulations which it was urged would be enough to protect the men from distressing and painful sickness incidental to the painter's calling. The result was a compromise, unanimously agreed to, which proposed prohibition for indoor work and restrictive regulations for work out of doors, subject to a time limit. Nine countries only have ratified, and Great Britain is not one of the nine.

The Secretarial Work

Before concluding, a few more words may be said of the activities of the International Labour Organisation, other than those arising out of Conference conventions. There are, of course, the recommendations, and these have been sent on to Governments and have been the basis of administrative as well as legislative effort.

But, after all, Conference meetings come only once a year, the Office is active all the time. In addition to preparing Conference agendas and promoting conditions favourable to acceptance by Governments of Conference decisions, its functions include the collection and distribution of information on all matters affecting labour throughout the world. The Treaty required it to edit and publish a periodical paper in French and English, and such other language as may be determined upon, dealing with problems of industry.

The Geneva Office has really set up a new international civil service consisting of experts from all the industrial countries. It is under the able directorship of M. Albert Thomas, the well-known

French statesman, assisted by a distinguished British Civil servant, Mr. H. B. Butler, C.B., both of whom I have referred to earlier in these pages. Its weekly *Industrial and Labour Information* and its monthly *International Labour Review* have become recognised as the most reliable and complete compilation of information for the formation and guidance of public opinion. It publishes also other periodicals (e.g. *Industrial Safety Survey*) and numerous special Reports on such subjects as Social Insurance, setting out the practice of all countries. In carrying out these duties the Office has, of course, to get in contact with agencies of all kinds. It has established relations with Governments, Trade Unions, employers' organisations and other bodies from whom it obtains and to whom it gives information. It has, in fact, become the world labour and industrial clearing house.

This phase of the work of the Office is of extreme importance, for thereby the way is paved to the formation of right conclusions on matters of industrial interest, and fables are dispelled which might otherwise have obtained and sustained currency. The formation of right public opinion is the first step towards right action in social and industrial as well as other progress, and right public opinion can only be formed on knowledge. And it is also true that knowledge of grievances on the part of those directly or even indirectly responsible, is often in itself sufficient, as in the case of Persia, to get those grievances redressed.

Much might be said—much has already been said elsewhere—of the administration of the Organisation and of the difficulties it has encountered and surmounted during its six years of quiet unostentatious work for the workers of the world. I am not here concerned with these, nor with the special work with which from time to time the Office has

been entrusted, such as the rescue and settlement of Armenian refugees, in which it is at present engaged.

My purpose has been only to trace the beginnings and set out the large achievements of the Organisation, and to base thereon a plea for its more cordial support by European Governments generally and by the British Government in particular. It has not yet got the support it deserves and which it had a right to expect.

A Warning

I do not say that this country is worse than others. It is, in fact, better than some. It has done much better than France or Germany, or I think even Belgium. But I do feel strongly that Governments generally of the old industrial countries have got to do their part more fully than hitherto if Geneva is to retain the confidence of Labour. And that confidence is essential to full success. *There* is the danger to the Geneva Organisation. If it is not supported by the great industrial countries of Europe, it must assuredly lose in moral prestige, because for good or ill those countries lead the world in labour and industrial activities generally. Above all else, the International Labour Organisation must justify itself to the European organised industrial democracies. They accepted it and have loyally co-operated in it. But if they find that it is not to be supported by their Governments, then they may withdraw their support, in which event its usefulness would be greatly lessened. It might survive in a feeble way, but it would be but a body without a soul, a machine without the necessary human impulse to give it vitality.

And there is a special reason at present why the International Labour Organisation should be sup-

ported by all those who want to see orderly and evolutionary progress in social and industrial betterment. The forces of disorder and anarchy are active and unscrupulous, especially in the international sphere. And internationalism has come to stay.

What kind of internationalism is it to be? That is the question which has emerged from the political upheavals of the last few years and which gets more insistent for an early answer. Is internationalism to be voiced by all in the interests of all? Or is it to be left to be voiced by violent revolutionists in the alleged interest of some? The I.L.O. stands for the former. It affords an opportunity for Governments, employers and employed to come together to advance common interests, it spreads knowledge from all for the benefit of all, and it helps to maintain peace by fostering the right spirit. If Governments, however, withdraw their support, then Labour may be lured into the revolutionary camp. I sincerely hope it may not be so, and my last word, therefore, is an appeal for reasoned support for an organisation which has already done much and may do much more to lift Labour into the enjoyment of those amenities of life which should be the common heritage of all those who work.

APPENDIX I

TEXT OF PART XIII OF THE TREATY OF VERSAILLES

PART XIII (LABOUR) OF THE TREATY OF VERSAILLES OF 28 JUNE, 1919

SECTION I

ORGANISATION OF LABOUR

[PREAMBLE]

Whereas the League of Nations has for its object the establishment of universal peace, and such a peace can be established only if it is based upon social justice;

And whereas conditions of labour exist involving such injustice, hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled; and an improvement of those conditions is urgently required : as, for example, by the regulation of the hours of work, including the establishment of a maximum working day and week, the regulation of the labour supply, the prevention of unemployment, the provision of an adequate living wage, the protection of the worker against sickness, disease and injury arising out of his employment, the protection of children, young persons and women, provision for old age and injury, protection of the interests of workers when employed in countries other than their own, recognition of the principle of freedom of association, the organisation of vocational and technical education and other measures;

Whereas also the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries;

The HIGH CONTRACTING PARTIES, moved by sentiments of justice and humanity as well as by the desire

to secure the permanent peace of the world, agree to the following :

CHAPTER I

ORGANISATION

ARTICLE 387 [MEMBERSHIP]

A permanent organisation is hereby established for the promotion of the objects set forth in the Preamble.

The original Members of the League of Nations shall be the original Members of this organisation, and hereafter membership of the League of Nations shall carry with it membership of the said organisation.

ARTICLE 388 [MACHINERY]

The permanent organisation shall consist of :

1. A General Conference of Representatives of the Members and
2. An International Labour Office controlled by the Governing Body described in Article 393.

ARTICLE 389 [CONFERENCE, PERIODICITY, DELEGATIONS]

The meetings of the General Conference of Representatives of the Members shall be held from time to time as occasion may require, and at least once in every year. It shall be composed of four Representatives of each of the Members, of whom two shall be Government Delegates and the two others shall be Delegates representing respectively the employers and the work-people of each of the Members.

Each Delegate may be accompanied by advisers, who shall not exceed two in number for each item on the agenda of the meeting. When questions specially affecting women are to be considered by the Conference, one at least of the advisers should be a woman.

The Members undertake to nominate non-Government Delegates and advisers chosen in agreement with the industrial organisations, if such organisations exist, which are most representative of employers or work-people, as the case may be, in their respective countries.

Advisers shall not speak except on a request made by the Delegate whom they accompany and by the special authorisation of the President of the Conference, and may not vote.

A Delegate may by notice in writing addressed to the President appoint one of his advisers to act as his deputy, and the adviser, while so acting, shall be allowed to speak and vote.

The names of the Delegates and their advisers will be communicated to the International Labour Office by the Government of each of the Members.

The credentials of Delegates and their advisers shall be subject to scrutiny by the Conference, which may, by two-thirds of the votes cast by the Delegates present, refuse to admit any Delegate or adviser whom it deems not to have been nominated in accordance with this Article.

ARTICLE 390 [VOTING]

Every Delegate shall be entitled to vote individually on all matters which are taken into consideration by the Conference.

If one of the Members fails to nominate one of the non-Government Delegates whom it is entitled to nominate, the other non-Government Delegate shall be allowed to sit and speak at the Conference, but not to vote.

If in accordance with Article 389 the Conference refuses admission to a Delegate of one of the Members, the provisions of the present Article shall apply as if that Delegate had not been nominated.

ARTICLE 391 [PLACE OF MEETING]

The meetings of the Conference shall be held at the seat of the League of Nations, or at such other place as may be decided by the Conference at a previous meeting by two-thirds of the votes cast by the Delegates present.

ARTICLE 392 [SEAT OF OFFICE]

The International Labour Office shall be established at the seat of the League of Nations as part of the organisation of the League.

ARTICLE 393* [GOVERNING BODY]

The International Labour Office shall be under the control of a Governing Body consisting of 24 persons, appointed in accordance with the following provisions :

The Governing Body of the International Labour Office shall be constituted as follows :

- Twelve persons representing the Governments ;
- Six persons elected by the Delegates to the Conference representing the employers ;
- Six persons elected by the Delegates to the Conference representing the workers.

* At its Nineteenth Sitting held on 2 November, 1922, the Fourth Session of the International Labour Conference adopted by 82 votes to 2, with 6 abstentions, the following draft amendment to Article 393, which is at present before the States Members of the International Labour Organisation, in accordance with the provisions of Article 422 of the Treaty of Versailles.

" The International Labour Office shall be under the control of a Governing Body consisting of thirty-two persons :

*Sixteen representing Governments,
Eight representing the Employers, and
Eight representing the Workers.*

Of the sixteen persons representing Governments, eight shall be appointed by the Members of chief industrial importance, and eight shall be appointed by the Members selected for that purpose by the Government Delegates to the Conference excluding the Delegates of the eight Members mentioned above. Of the sixteen Members represented six shall be non-European States.

Any question as to which are the Members of chief industrial importance shall be decided by the Council of the League of Nations.

The persons representing the Employers and the persons representing the Workers shall be elected respectively by the Employers' Delegates and the Workers' Delegates to the Conference. Two Employers' representatives and two Workers' representatives shall belong to non-European States.

The period of office of the Governing Body shall be three years.

The method of filling vacancies and of appointing substitutes and other similar questions may be decided by the Governing Body subject to the approval of the Conference.

The Governing Body shall, from time to time, elect one of its number to act as its Chairman, shall regulate its own procedure, and shall fix its own times of meeting. A special meeting shall be held if a written request to that effect is made by at least twelve of the representatives on the Governing Body."

Of the twelve persons representing the Governments eight shall be nominated by the Members which are of the chief industrial importance, and four shall be nominated by the Members selected for the purpose by the Government Delegates to the Conference, excluding the Delegates of the eight Members mentioned above.

Any question as to which are the Members of the chief industrial importance shall be decided by the Council of the League of Nations.

The period of office of the members of the Governing Body will be three years. The method of filling vacancies and other similar questions may be determined by the Governing Body subject to the approval of the Conference.

The Governing Body shall, from time to time, elect one of its members to act as its Chairman, shall regulate its own procedure and shall fix its own times of meeting. A special meeting shall be held if a written request to that effect is made by at least ten members of the Governing Body.

ARTICLE 394 [DIRECTOR]

There shall be a Director of the International Labour Office, who shall be appointed by the Governing Body, and, subject to the instructions of the Governing Body, shall be responsible for the efficient conduct of the International Labour Office and for such other duties as may be assigned to him.

The Director or his deputy shall attend all meetings of the Governing Body.

ARTICLE 395 [STAFF]

The staff of the International Labour Office shall be appointed by the Director, who shall, so far as is possible with due regard to the efficiency of the work of the Office, select persons of different nationalities. A certain number of these persons shall be women.

ARTICLE 396 [FUNCTIONS OF OFFICE]

The functions of the International Labour Office shall include the collection and distribution of informa-

tion on all subjects relating to the international adjustment of conditions of industrial life and labour, and particularly the examination of subjects which it is proposed to bring before the Conference with a view to the conclusion of international conventions, and the conduct of such special investigations as may be ordered by the Conference.

It will prepare the agenda for the meetings of the Conference.

It will carry out the duties required of it by the provisions of this Part of the present Treaty in connection with international disputes. It will edit and publish in French and English, and in such other languages as the Governing Body may think desirable, a periodical paper dealing with problems of industry and employment of international interest.

Generally, in addition to the functions set out in this Article, it shall have such other powers and duties as may be assigned to it by the Conference.

ARTICLE 397 [COMMUNICATION WITH GOVERNMENTS]

The Government Departments of any of the Members which deal with questions of industry and employment may communicate directly with the Director through the Representative of their Government on the Governing Body of the International Labour Office, or failing any such Representative, through such other qualified official as the Government may nominate for the purpose.

ARTICLE 398 [ASSISTANCE OF LEAGUE SECRETARY-GENERAL]

The International Labour Office shall be entitled to the assistance of the Secretary-General of the League of Nations in any matter in which it can be given.

ARTICLE 399 [FINANCE]

Each of the Members will pay the travelling and subsistence expenses of its Delegates and their advisers and of its Representatives attending the meetings of the Conference or Governing Body, as the case may be.

All the other expenses of the International Labour Office and of the meetings of the Conference or Governing Body shall be paid to the Director by the Secretary-General of the League of Nations out of the general funds of the League.

The Director shall be responsible to the Secretary-General of the League for the proper expenditure of all moneys paid to him in pursuance of this Article.

CHAPTER II

PROCEDURE

ARTICLE 400 [AGENDA FOR CONFERENCE]

The agenda for all meetings of the Conference will be settled by the Governing Body, who shall consider any suggestion as to the agenda that may be made by the Government of any of the Members or by any representative organisation recognised for the purpose of Article 389.

ARTICLE 401 [SECRETARY, NOTICE OF AGENDA]

The Director shall act as the Secretary of the Conference, and shall transmit the agenda so as to reach the Members four months before the meeting of the Conference, and, through them, the non-Government Delegates when appointed.

ARTICLE 402 [OBJECTIONS TO AGENDA]

Any of the Governments of the Members may formally object to the inclusion of any item or items in the agenda. The grounds for such objection shall be set forth in a reasoned statement addressed to the Director, who shall circulate it to all the Members of the Permanent Organisation.

Items to which such objection has been made shall not, however, be excluded from the agenda, if at the Conference a majority of two-thirds of the votes cast by the Delegates present is in favour of considering them.

If the Conference decides (otherwise than under the preceding paragraph) by two-thirds of the votes cast by the Delegates present that any subject shall be considered by the Conference, that subject shall be included in the agenda for the following meeting.

ARTICLE 403 [PRESIDENT. VOTING]

The Conference shall regulate its own procedure, shall elect its own President, and may appoint committees to consider and report on any matter.

Except as otherwise expressly provided in this Part of the present Treaty, all matters shall be decided by a simple majority of the votes cast by the Delegates present.

The voting is void unless the total number of votes cast is equal to half the number of the Delegates attending the Conference.

ARTICLE 404 [COMMITTEES. ASSESSORS]

The Conference may add to any committees which it appoints technical experts, who shall be assessors without power to vote.

ARTICLE 405 [CONVENTIONS AND RECOMMENDATIONS.
VOTING. OBLIGATION OF GOVERNMENTS]

When the Conference has decided on the adoption of proposals with regard to an item in the agenda, it will rest with the Conference to determine whether these proposals should take the form : (a) of a recommendation to be submitted to the Members for consideration with a view to effect being given to it by national legislation or otherwise, or (b) of a draft international convention for ratification by the Members.

In either case a majority of two-thirds of the votes cast by the Delegates present shall be necessary on the final vote for the adoption of the recommendation or draft convention, as the case may be, by the Conference.

In framing any recommendation or draft convention of general application the Conference shall have due regard to those countries in which climatic conditions, the imperfect development of industrial organisation,

or other special circumstances make the industrial conditions substantially different, and shall suggest the modifications, if any, which it considers may be required to meet the case of such countries.

A copy of the recommendation or draft convention shall be authenticated by the signature of the President of the Conference and of the Director and shall be deposited with the Secretary-General of the League of Nations. The Secretary-General will communicate a certified copy of the recommendation or draft convention to each of the Members.

Each of the Members undertakes that it will, within the period of one year at most from the closing of the session of the Conference, or if it is impossible owing to exceptional circumstances to do so within the period of one year, then at the earliest practicable moment and in no case later than eighteen months from the closing of the session of the Conference, bring the recommendation or draft convention before the authority or authorities within whose competence the matter lies, for the enactment of legislation or other action.

In the case of a recommendation, the Members will inform the Secretary-General of the action taken.

In the case of a draft convention, the Member will, if it obtains the consent of the authority or authorities within whose competence the matter lies, communicate the formal ratification of the convention to the Secretary-General and will take such action as may be necessary to make effective the provisions of such convention.

If on a recommendation no legislative or other action is taken to make a recommendation effective, or if the draft convention fails to obtain the consent of the authority or authorities within whose competence the matter lies, no further obligation shall rest upon the Member.

In the case of a federal State, the power of which to enter into conventions on labour matters is subject to limitations, it shall be in the discretion of that Government to treat a draft convention to which such limitations apply as a recommendation only, and the

provisions of this Article with respect to recommendations shall apply in such case.

The above Article shall be interpreted in accordance with the following principle :

In no case shall any Member be asked or required, as a result of the adoption of any recommendation or draft convention by the Conference, to lessen the protection afforded by its existing legislation to the workers concerned.

ARTICLE 406 [RATIFICATION]

Any convention so ratified shall be registered by the Secretary-General of the League of Nations, but shall only be binding upon the Members which ratify it.

ARTICLE 407 [AGREEMENT ON UNADOPTED CONVENTIONS]

If any convention coming before the Conference for final consideration fails to secure the support of two-thirds of the votes cast by the Delegates present, it shall nevertheless be within the right of any of the Members of the Permanent Organisation to agree to such convention among themselves.

Any convention so agreed to shall be communicated by the Governments concerned to the Secretary-General of the League of Nations, who shall register it.

ARTICLE 408 [ANNUAL REPORTS]

Each of the Members agrees to make an annual report to the International Labour Office on the measures which it has taken to give effect to the provisions of conventions to which it is a party. These reports shall be made in such form and shall contain such particulars as the Governing Body may request. The Director shall lay a summary of these reports before the next meeting of the Conference.

ARTICLE 409 [COMPLAINT OF DEFAULT FROM AN INDUSTRIAL ORGANISATION]

In the event of any representation being made to the International Labour Office by an industrial association

of employers or of workers that any of the Members has failed to secure in any respect the effective observance within its jurisdiction of any convention to which it is a party, the Governing Body may communicate this representation to the Government against which it is made, and may invite that Government to make such statement on the subject as it may think fit.

ARTICLE 410 [PROCEDURE]

If no statement is received within a reasonable time from the Government in question, or if the statement when received is not deemed to be satisfactory by the Governing Body, the latter shall have the right to publish the representation and the statement, if any, made in reply to it.

ARTICLE 411 [COMPLAINT OF DEFAULT FROM A GOVERNMENT]

Any of the Members shall have the right to file a complaint with the International Labour Office if it is not satisfied that any other Member is securing the effective observance of any convention which both have ratified in accordance with the foregoing Articles.

The Governing Body may, if it thinks fit, before referring such a complaint to a Commission of Enquiry, as hereinafter provided for, communicate with the Government in question in the manner described in Article 409.

If the Governing Body does not think it necessary to communicate the complaint to the Government in question, or if, when they have made such communication, no statement in reply has been received within a reasonable time which the Governing Body considers to be satisfactory, the Governing Body may apply for the appointment of a Commission of Enquiry to consider the complaint and to report thereon.

The Governing Body may adopt the same procedure either of its own motion or on receipt of a complaint from a Delegate to the Conference.

When any matter arising out of Articles 410 or 411 is being considered by the Governing Body, the

Government in question shall, if not already represented thereon, be entitled to send a representative to take part in the proceedings of the Governing Body while the matter is under consideration. Adequate notice of the date on which the matter will be considered shall be given to the Government in question.

ARTICLE 412 [COMMISSION OF ENQUIRY. CONSTITUTION]

The Commission of Enquiry shall be constituted in accordance with the following provisions :

Each of the Members agrees to nominate within six months of the date on which the present Treaty comes into force three persons of industrial experience, of whom one shall be a representative of employers, one a representative of workers, and one a person of independent standing, who shall together form a panel from which the members of the Commission of Enquiry shall be drawn.

The qualifications of the persons so nominated shall be subject to scrutiny by the Governing Body, which may by two-thirds of the votes cast by the representatives present refuse to accept the nomination of any person whose qualifications do not in its opinion comply with the requirements of the present Article.

Upon the application of the Governing Body, the Secretary-General of the League of Nations shall nominate three persons, one from each section of this panel, to constitute the Commission of Enquiry, and shall designate one of them as the President of the Commission. None of these three persons shall be a person nominated to the panel by any Member directly concerned in the complaint.

ARTICLE 413 [COMMUNICATION OF INFORMATION]

The Members agree that, in the event of the reference of a complaint to a Commission of Enquiry under Article 411, they will each, whether directly concerned in the complaint or not, place at the disposal of the Commission all the information in their possession which bears upon the subject-matter of the complaint.

ARTICLE 414 [REPORT OF COMMISSION]

When the Commission of Enquiry has fully considered the complaint, it shall prepare a report embodying its findings in all questions of fact relevant to determining the issue between the parties and containing such recommendations as it may think proper as to the steps which should be taken to meet the complaint and the time within which they should be taken.

It shall also indicate in this report the measures, if any, of an economic character against a defaulting Government which it considers to be appropriate, and which it considers other Governments would be justified in adopting.

ARTICLE 415 [COMMUNICATION OF REPORT]

The Secretary-General of the League of Nations shall communicate the report of the Commission of Enquiry to each of the Governments concerned in the complaint, and shall cause it to be published.

Each of these Governments shall within one month inform the Secretary-General of the League of Nations whether or not it accepts the recommendations contained in the report of the Commission; and if not, whether it proposes to refer the complaint to the Permanent Court of International Justice of the League of Nations.

ARTICLE 416 [COMPLAINT OF BREACH OF ARTICLE 405]

In the event of any Member failing to take the action required by Article 405, with regard to a recommendation or draft convention, any other Member shall be entitled to refer the matter to the Permanent Court of International Justice.

ARTICLE 417 [NO APPEAL FROM PERMANENT COURT]

The decision of the Permanent Court of International Justice in regard to a complaint or matter which has been referred to it in pursuance of Article 415 or Article 416 shall be final.

ARTICLE 418 [POWERS OF PERMANENT COURT]

The Permanent Court of International Justice may affirm, vary or reverse any of the findings or recom-

mendations of the Commission of Enquiry, if any, and shall in its decision indicate the measures, if any, of an economic character which it considers to be appropriate, and which other Governments would be justified in adopting against a defaulting Government.

ARTICLE 419 [PENALTIES]

In the event of any Member failing to carry out within the time specified the recommendations, if any, contained in the report of the Commission of Enquiry, or in the decision of the Permanent Court of International Justice, as the case may be, any other Member may take against that Member the measures of an economic character indicated in the report of the Commission or in the decision of the Court as appropriate to the case.

ARTICLE 420 [CESSATION OF DEFAULT]

The defaulting Government may at any time inform the Governing Body that it has taken the steps necessary to comply with the recommendations of the Commission of Enquiry or with those in the decision of the Permanent Court of International Justice, as the case may be, and may request it to apply to the Secretary-General of the League to constitute a Commission of Enquiry to verify its contention. In this case the provisions of Articles 412, 413, 414, 415, 417 and 418 shall apply and if the report of the Commission of Enquiry or the decision of the Permanent Court of International Justice is in favour of the defaulting Government, the other Governments shall forthwith discontinue the measures of an economic character that they have taken against the defaulting Government.

CHAPTER III

GENERAL

ARTICLE 421 [APPLICATION TO COLONIES]

The Members engage to apply conventions which they have ratified in accordance with the provisions of this

Part of the present Treaty to their colonies, protectorates and possessions which are not fully self-governing :

- (1) Except where owing to the local conditions the convention is inapplicable, or
- (2) Subject to such modifications as may be necessary to adapt the convention to local conditions.

And each of the Members shall notify to the International Labour Office the action taken in respect of each of its colonies, protectorates and possessions which are not fully self-governing.

ARTICLE 422 [AMENDMENT OF TREATY]

Amendments to this part of the present Treaty which are adopted by the Conference by a majority of two-thirds of the votes cast by the Delegates present shall take effect when ratified by the States whose representatives compose the Council of the League of Nations and by three-fourths of the Members.

ARTICLE 423 [QUESTIONS OF INTERPRETATION]

Any question or dispute relating to the interpretation of this Part of the present Treaty or of any subsequent convention concluded by the Members in pursuance of the provisions of this Part of the present Treaty shall be referred for decision to the Permanent Court of International Justice.

CHAPTER IV

TRANSITORY PROVISIONS

ARTICLE 424 [FIRST CONFERENCE. ORGANISATION AND FINANCE]

The first meeting of the Conference shall take place in October, 1919. The place and agenda for this meeting shall be as specified in the Annex hereto.

Arrangements for the convening and the organisation of the first meeting of the Conference will be made by the Government designated for the purpose in the said Annex. That Government shall be assisted in the

preparation of the documents for submission to the Conference by an International Committee constituted as provided in the said Annex.

The expenses of the first meeting and of all subsequent meetings held before the League of Nations has been able to establish a general fund, other than the expenses of Delegates and their advisers, will be borne by the Members in accordance with the apportionment of the expenses of the International Bureau of the Universal Postal Union.

ARTICLE 425 [RECEIPT OF COMMUNICATIONS]

Until the League of Nations has been constituted all communications which under the provisions of the foregoing Articles should be addressed to the Secretary-General of the League will be preserved by the Director of the International Labour Office, who will transmit them to the Secretary-General of the League.

ARTICLE 426 [TEMPORARY TRIBUNAL]

Pending the creation of a Permanent Court of International Justice, disputes which in accordance with this Part of the present Treaty would be submitted to it for decision will be referred to a tribunal of three persons appointed by the Council of the League of Nations.

ANNEX

FIRST MEETING OF ANNUAL LABOUR CONFERENCE, 1919

The place of meeting will be Washington.

The Government of the United States of America is requested to convene the Conference.

The International Organising Committee will consist of seven members, appointed by the United States of America, Great Britain, France, Italy, Japan, Belgium and Switzerland. The Committee may, if it thinks necessary, invite other Members to appoint representatives.

Agenda :

- (1) Application of principle of the eight-hours day or of the forty-eight-hours week.
- (2) Questions of preventing or providing against unemployment.
- (3) Women's employment :
 - (a) Before and after childbirth, including the question of maternity benefit;
 - (b) During the night;
 - (c) In unhealthy processes.
- (4) Employment of children :
 - (a) Minimum age of employment;
 - (b) During the night;
 - (c) In unhealthy processes.
- (5) Extension and application of the International Conventions adopted at Berne in 1906 on the prohibition of night work for women employed in industry and the prohibition of the use of white phosphorus in the manufacture of matches.

SECTION II

GENERAL PRINCIPLES

ARTICLE 427 [NINE GUIDING POINTS]

The High Contracting Parties, recognising that the well-being, physical, moral and intellectual, of industrial wage-earners is of supreme international importance, have framed, in order to further this great end, the permanent machinery provided for in Section I, and associated with that of the League of Nations.

They recognise that differences of climate, habits and customs, of economic opportunity and industrial tradition, make strict uniformity in the conditions of labour difficult of immediate attainment. But, holding as they do that labour should not be regarded merely as an article of commerce, they think that there are methods and principles for regulating labour conditions which all industrial communities should endeavour

to apply, so far as their special circumstances will permit.

Among these methods and principles, the following seem to the High Contracting Parties to be of special and urgent importance :

First.—The guiding principle above enunciated that labour should not be regarded merely as a commodity or article of commerce.

Second.—The right of association for all lawful purposes by the employed as well as by the employers.

Third.—The payment to the employed of a wage adequate to maintain a reasonable standard of life as this is understood in their time and country.

Fourth.—The adoption of an eight-hours day or a forty-eight hours week as the standard to be aimed at where it has not already been attained.

Fifth.—The adoption of a weekly rest of at least twenty-four hours, which should include Sunday wherever practicable.

Sixth.—The abolition of child labour and the imposition of such limitations on the labour of young persons as shall permit the continuation of their education and assure their proper physical development.

Seventh.—The principle that men and women should receive equal remuneration for work of equal value.

Eighth.—The standard set by law in each country with respect to the conditions of labour should have due regard to the equitable economic treatment of all workers lawfully resident therein.

Ninth.—Each State should make provision for a system of inspection in which women should take part, in order to ensure the enforcement of the laws and regulations for the protection of the employed.

Without claiming that these methods and principles are either complete or final, the High Contracting Parties are of opinion that they are well fitted to guide the policy of the League of Nations; and that, if adopted by the industrial communities who are Members of the League, and safeguarded in practice by an adequate system of such inspection, they will confer lasting benefits upon the wage-earners of the world.

APPENDIX II

LIST OF DRAFT CONVENTIONS AND RECOMMENDATIONS ADOPTED BY THE INTERNATIONAL LABOUR CON- FERENCE AT ITS FIRST SEVEN SESSIONS (1919-25)

*The 1919 SESSION (Washington) adopted six Draft
Conventions dealing with :*

1. The application of the principle of an eight-hours day and a forty-eight-hours week.
2. The question of preventing or providing against unemployment.
3. The employment of women before and after childbirth.
4. The employment of women during the night.
5. The minimum age of employment of children in industry.
6. The night work of young persons employed in industry.

Six Recommendations were also adopted :

1. Concerning public employment exchanges.
2. Concerning reciprocity of treatment of foreign workers.
3. Concerning the prevention of anthrax.
4. Concerning the protection of women and children against lead poisoning.
5. Concerning the establishment of Government Health Services.
6. Concerning the application of the Berne Convention of 1906, on the prohibition of the use of white phosphorus in the manufacture of matches.

The 1920 SESSION (Genoa) adopted three Draft Conventions :

1. Concerning the age for admission of children to employment at sea.
2. Concerning unemployment indemnity in case of loss or foundering of the ship.
3. Concerning facilities for finding employment for seamen.

Four Recommendations were adopted :

1. Concerning the limitation of hours of work in the fishing industry.
2. Concerning the limitation of hours of work in inland navigation.
3. Concerning the establishment of national seamen's codes.
4. Concerning unemployment insurance for seamen.

The 1921 SESSION (Geneva) adopted seven Draft Conventions :

1. Concerning the right of association of agricultural workers.
2. Concerning workmen's compensation in agriculture.
3. Concerning the minimum age of employment of children in agriculture.
4. Concerning the use of white lead in painting.
5. Concerning the minimum age of employment as trimmers and stokers at sea.
6. Concerning the medical examination of children and young persons employed at sea.
7. Concerning the weekly rest in industry.

Eight Recommendations were adopted :

1. Concerning the development of technical agricultural education.
2. Concerning the prevention of unemployment in agriculture.
3. Concerning social insurance in agriculture.

4. Concerning night work of children and young persons in agriculture.
5. Concerning night work of women in agriculture.
6. Concerning the protection of women in agriculture before and after childbirth.
7. Concerning the living-in conditions of agricultural workers.
8. Concerning the weekly rest in commercial establishments.

The 1922 SESSION (Geneva), in addition to formulating a number of amendments shown by experience to be necessary in the constitution of the International Labour Organisation, *adopted one Recommendation :*

1. Concerning statistical and other information regarding emigration and immigration.

The 1923 SESSION (Geneva) *adopted one Recommendation :*

1. Concerning the general principles for the organisation of systems of inspection to secure the enforcement of the laws and regulations for the protection of the workers.

The 1924 SESSION (Geneva) *adopted one Recommendation :*

1. Concerning the development of facilities for the utilisation of workers' spare time.

The 1925 SESSION (Geneva) *adopted four Draft Conventions :*

1. Concerning equality of treatment of national and foreign workers as regards workmen's compensation for accidents.
2. Concerning night-work in bakeries.
3. Concerning workmen's compensation for occupational diseases.
4. Concerning workmen's compensation for accidents.

Four Recommendations were adopted :

1. Concerning the minimum scale of workmen's compensation.
2. Concerning jurisdiction in disputes on workmen's compensation.
3. Concerning workmen's compensation for occupational diseases.
4. Concerning equality of treatment for national and foreign workers as regards workmen's compensation for accidents.

The first 1926 SESSION (Geneva) considered :

1. The simplification of the inspection of emigrants on board ship.

The second 1926 SESSION (Geneva) considered :

1. The international codification of rules relating to seamen's articles of agreement.
2. General principles for the inspection of the conditions of work of seamen.

In regard to the first a convention was adopted by 89 votes to 19, the British Government and British workers' delegates warmly approving providing for (1) the appointment of a single Inspector by the Government of the State under the flag of which the emigrant is shipped, and (2) for a qualified woman to look after the interests of women Emigrants on Board and afterwards in cases where there are fifteen or more on a ship.

At the latter session a convention was adopted by 95 votes to 0, concerning seamen's articles of agreement, and another by 76 to 22 on the repatriation of seamen. The question of seamen's hours of labour was postponed for consideration at a special maritime session to be held in 1928.

APPENDIX III

CHART SHOWING POSITION OF RATIFICATION OF INTERNATIONAL LABOUR CONVENTIONS AT END OF 1925.

[*Note.*—The Chart is reproduced from *Industrial and Labour Information*, the weekly publication of the International Labour Office].

THE PROGRESS OF RATIFICATIONS

- Conventions
- 1st Conference, 1919
- 1. Hours
 - 2. Unemployment
 - 3. Childbirth.
 - 4. Night work, women
 - 5. Minimum age (industry)
 - 6. Night work, young persons
 - 7. White phosphorus¹

- 2nd Conference, 1920
- 8. Minimum age (sea).
 - 9. Unemployment indemnity
 - 10. Employment for seamen.

- 3rd Conference, 1921
- 11. Minimum age (agriculture).
 - 12. Rights of association (agriculture).
 - 13. Workmen's compensation (agriculture)
 - 14. White Lead.
 - 15. Weekly Rest (industry).
 - 16. Minimum age (trimmers and stokers)
 - 17. Medical examination, young persons (sea).

- 7th Conference, 1925
- 18. Workmen's compensation (accidents).
 - 19. Workmen's compensation (diseases).
 - 20. Equality of treatment (accidents)
 - 21. Night work in bakeries.

- 8th Conference, 1926
- 22. Inspection of emigrants on board ship.

- 9th Conference, 1926
- 23. Seamen's articles of agreement.
 - 24. Repatriation of seamen.

¹ This Berne Convention formed the subject of one of the Washington Recommendations. States which had previously adhered to the Convention are indicated by the sign A in column 7, and States which have adhered subsequently by the sign B.

- Ratification
- Registered 196
 - Approved 36
 - Recommended 134
 - Conditional or with delayed application 3

- Application
- ◆ Legislative or other measures anterior to the adoption of the Convention by the Conference.
 - Legislative or other measures passed since the adoption of the Convention.
 - Y Report not yet due.

Note: The above signs are used to indicate information communicated to the International Labour Office in annual Reports under Art. 408 of the Treaty of Versailles on measures taken to give effect to ratified Conventions.

- ⊙ Legislation passed.
 - Legislation in progress or in preparation.
- Note: These signs are used to indicate information concerning other measures applying or tending to apply Conventions, derived from all official sources.

State	Washington 1919							Genoa 1920				Geneva 1921							Geneva 1925							Geneva 1926							State	Washington 1919							Genoa 1920				Geneva 1921							Geneva 1925							Geneva 1926																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																
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1. No official information which can be indicated in this table has been received by the International Labour Office from the following Members of the Organisation.

- Albania
- Colombia
- Costa Rica
- Dominican Rep.
- Ethiopia*
- Guatemala
- Haiti
- Honduras
- Liberia
- New Zealand*
- Nicaragua
- Panama
- Paraguay
- Peru
- Salvador
- Siam
- Venezuela

Adhered to White Phosphorus Convention in 1911

2. The States marked* became Members of the Organisation on the following dates: Bulgaria, 1920; Finland, 1920; Luxemburg, 1920; Estonia, 1921; Lithuania, 1921; Latvia, 1921; Hungary, 1922; Irish Free State, 1923; Ethiopia, 1923; Dominican Republic, 1924.

3. The chart does not show, in the case of federal countries, information communicated to the International Labour Office concerning legislation in the separate States, Provinces, etc., approximating to or in conformity with the Conventions.

4. In addition to the Recommendation concerning white phosphorus mentioned in the opposite column, 27 Recommendations concerning conditions of labour were adopted at the nine Sessions of the Conference, 1919-1926 inclusive. Particulars of action taken on these Recommendations, a list of which is given below, are published from time to time

- 1919 (1st Session): Unemployment
- Reciprocity of treatment.
- Prevention of anthrax.
- Protection of women and children against lead poisoning.
- Government health services
- 1920 (2nd): Hours of work (fishing industry)
- Hours of work (land navigation)
- National seamen's codes
- Unemployment insurance (seamen)
- 1921 (3rd): Prevention of unemployment (agriculture).
- Maternity (agriculture).
- Night work of women (agriculture).
- Night work of children and young persons (agriculture).
- Technical agricultural education
- Living-in conditions (agriculture)
- Social insurance (agriculture)
- Weekly rest (commerce)
- 1922 (4th): Migration statistics.
- 1923 (5th): Factory inspection.
- 1924 (6th): Utilisation of spare time
- 1925 (7th): Minimum scale of workmen's compensation
- Jurisdiction in disputes on workmen's compensation.
- Workmen's compensation for occupational diseases.
- Equality of treatment (workmen's compensation).
- 1926 (8th): Protection of emigrant women and girls on board ship
- 1926 (9th): Repatriation of ships' masters and apprentices.
- Inspection of conditions of work of seamen

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